504. Also, memorial of the Pennsylvania State Beekeepers' Association, in annual meeting, January 23, 1929, strenuously opposing all changes that impair the integrity of the United States pure food laws, and having especial reference to House bill 2154 and Senate bill 685, Seventy-first Congress; to the Committee on Agriculture.

505. Also, memorial of South Easton Council, No. 590, Fraternal Patriotic Americans, Easton, Pa., protesting against any repeal of the national-origins provision of the 1924 immigration law; to the Committee on Immigration and Naturalization.

506. By Mr. CULLEN: Resolution of the Chamber of Commerce of the United States, requesting recognition by Congress of the national interest in the forest resources of the country, and that the program approved by Congress last year in regard to making an investigation should be placed in effect at once through substantial appropriations; to the Committee on Agriculture.

507. Also, petition of the Maritime Association of the Port of New York, respectfully protesting against the advancement of House bill 121 as being destructive rather than constructive legislation, containing as it does provisions that are most drastic in their application, if, indeed, they are not impossible to comply with under present conditions in the trade; to the Committee on the Merchant Marine and Fisheries.

508. Also, petition of the New York State Association of Manufacturing Retail Bakers, deprecating efforts made in Congress, as set forth in pending tariff legislation, to increase the cost of foodstuffs to the American public by higher tariff on raw materials entering into the cost of foodstuffs; to the Committee on Ways and Means.

509. By Mr. GARBER of Oklahoma: Petition of the Wallpaper Importers' Association, in regard to the proposed rates on wall paper; to the Committee on Ways and Means.

510. Also, petition of W. E. Miller, general manager Coignet Chemical Products Co. (Inc.), New York City, opposing additional protection to gelatines and glues; to the Committee on Ways and Means.

511. By Mr. GREGORY: Petition of A. D. Thompson and other citizens of Marshall County, Ky., urging the enactment of a law authorizing payment of pensions to widows and dependents of veterans of the World War who are not now entitled to receive dependency compensation; to the Committee on Pensions.

512. By Mr. McCORMACK of Massachusetts: Petition of the Charitable Irish Society, John J. Keenan, secretary, 615 Scollay Building, 40 Court Street, Boston, Mass., unanimously urging repeal or postponement of the so-called national-origins clause in the immigration act; to the Committee on Immigration and Naturalization.

SENATE

SATURDAY, *May 25, 1929*

(Legislative day of Thursday, May 16, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Johnson	Sheppard
Barkley	Fletcher	Jones	Shortridge
Bingham	Frazier	Kean	Simmons
Black	George	Kendrick	Smith
Blaine	Gillett	Keyes	Smoot
Blease	Glass	King	Stephens
Borah	Glenn	La Follette	Swanson
Bratton	Goff	McKellar	Thomas, Idaho
Brookhart	Goldsborough	McMaster	Thomas, Okla.
Broussard	Gould	McNary	Trammell
Burton	Greene	Norbeck	Tydings
Capper	Hale	Norris	Vandenberg
Caraway	Harris	Nye	Walcott
Connally	Harrison	Oddie	Walsh, Mass.
Copeland	Hastings	Overman	Walsh, Mont.
Couzens	Hatfield	Patterson	Warren
Cutting	Hawes	Pine	Waterman
Dale	Hayden	Pittman	Watson
Deneen	Hebert	Reed	Wheeler
Dill	Heflin	Robinson, Ind.	
Edge	Howell	Sackett	

Mr. HAYDEN. My colleague the senior Senator from Arizona [Mr. ASHURST] is absent on account of illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 616) to authorize the Secretary of War to lend War Department equipment for use at the world jamboree of the Boy Scouts of America, and it was signed by the Vice President.

DISTRICT OF COLUMBIA AIRPORT FACILITIES (S. DOC. NO. 13)

Mr. BINGHAM, from the Joint Commission on Airports, submitted, pursuant to law, a preliminary report relative to the matter of airport facilities for the National Capital and the District of Columbia, which was ordered to be printed, and to be printed in the RECORD, as follows:

The Joint Commission on Airports created under the authority of Public Resolution No. 106, Seventieth Congress, approved March 4, 1929, presents the following in the nature of a preliminary report:

The commission organized on March 6, 1929, and proceeded to consider the problem of formulating recommendations to Congress for providing the National Capital and the District of Columbia with adequate airport facilities. At the outset of its deliberations the joint commission, upon an expression of opinion on the part of its members, declared itself to be a unit in the conviction that these facilities should be not only sufficient for present and anticipated aviation needs so as to serve Washington's maximum requirements but also of an extent and completeness that should reflect the Capital's national leadership and become a model for other cities in their development of municipal aids to aviation.

As a preliminary step to that end, the commission solicited and readily obtained assurance of cooperation from the various governmental departments concerned as well as from the government of the District of Columbia, and the National Capital Park and Planning Commission—an assurance that, the commission is happy to acknowledge, has been abundantly fulfilled.

In order that the board might be in possession of expert opinion and advice bearing on its problem, a series of public hearings was inaugurated, which extended over a period from April 8 to 30, 1929, and brought together a notable coterie of foremost airport engineers and aviation experts, including the managers of the Cleveland, Buffalo, and Ford Airports; the chief engineer of the city of Baltimore; Assistant Secretaries for Aviation in the War, Navy, and Commerce Departments; noted fliers of those governmental branches and of the air mail; and last, but by no means least in imparting worthwhile information, Col. Charles A. Lindbergh. The statements of these and other witnesses before the board are embodied in a volume of hearings comprising 196 pages, that has been pronounced by persons qualified to judge to be a very satisfactory compendium of information on the subject of municipal airports.

Coincidental with the assembling of these data, the joint commission has been making, and is still engaged in, a study of available sites for an airport in the vicinity of the Capital City, and in this investigation has had the benefit of the technical knowledge of requirements and the engineering training possessed by Maj. Donald A. Davison, the assistant engineer commissioner of the District of Columbia, and Maj. Carey H. Brown, Assistant Director of Public Buildings and Public Parks of the National Capital.

These suggested sites number more than a score, many of them possessing advantages of one nature or another, but not all of them by any means suited to the needs of the Capital in this respect. Various factors entering into the solution of the problem must be and are being studied, such as distance from the civic and business center of the city, accessibility by highways and means of overland transportation, altitude, contour of ground, drainage, the prevalence of fog, and situation respecting prevailing wind directions, together with the cost of land and the probable expense of grading and development.

The joint commission is still at work on this many-sided inquiry, and is unable to submit a circumstantial report until more is learned about properties available for airport purposes and the cost thereof.

Believing that the most economical method of procedure, and the course best suited to the interests of all concerned, is to authorize the National Capital Park and Planning Commission to acquire lands for airport purposes, or options for such purchase, subject to the approval of this joint commission, the commission recommends legislation making an appropriation of $500,000 for that purpose, and suggests the immediate passage of the following joint resolution:

Joint resolution making an appropriation for the acquisition of lands for an airport or airports for the National Capital and the District of Columbia

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500,000, to be immediately available and to remain available until expended, for the acquisition by the National Capital Park and Planning Commission, subject to the approval of the Joint Commission on Airports, of lands, and/or options to purchase lands, for an airport or airports adequate for the needs of the National Capital and the District of Columbia.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

A bill (S. 1275) granting an increase of pension to Rhoda Bennett (with accompanying papers); to the Committee on Pensions.

By Mr. BLEASE:

A bill (S. 1276) for the relief of the Washington Street Methodist Episcopal Church South, of Columbia, S. C.; and

A bill (S. 1277) for the relief of the Ladies' Ursuline Community of Columbia, at Columbia, S. C.; to the Committee on Claims.

A bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes; to the Committee on Immigration.

A bill (S. 1279) to regulate the voting of aliens who become American citizens; to the Committee on the Judiciary.

By Mr. JOHNSON:

A bill (S. 1280) for the relief of Edward Dietrich; to the Committee on Finance.

A bill (S. 1281) for the relief of Darby M. Callaway; and

A bill (S. 1282) for the relief of Harry R. Nellson; to the Committee on Naval Affairs.

A bill (S. 1283) for the relief of Hobart M. Hicks;

A bill (S. 1284) authorizing the President to reappoint Maj. James S. Greene, United States Army (retired), to the active list of the Army;

A bill (S. 1285) providing for the advancement of Michael Holub on the retired list of the Army;

A bill (S. 1286) authorizing the Secretary of War to issue a certificate of honorable discharge to Carl J. Canada;

A bill (S. 1287) for the relief of Elmer E. C. Armstrong;

A bill (S. 1288) for the relief of William Goodwin; and

A bill (S. 1289) for the relief of John D. Miller; to the Committee on Military Affairs.

By Mr. HATFIELD:

A bill (S. 1290) granting a pension to John Cook; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 1291) for the relief of J. A. Sutherland; and

A bill (S. 1292) for the relief of B. W. Stephens; to the Committee on Claims.

By Mr. ROBINSON of Indiana:

A bill (S. 1293) to amend an act entitled "An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs," approved February 11, 1927 (U. S. C. supp. 1, title 38, sec. 168a);

A bill (S. 1294) granting an increase of pension to John O. White; and

A bill (S. 1295) granting an increase of pension to Della Coffman; to the Committee on Pensions.

By Mr. SMOOT:

A joint resolution (S. J. Res. 46) authorizing the postponement of the date of maturity of the principal of the indebtedness of the French Republic to the United States in respect of the purchase of surplus war supplies; to the Committee on Finance.

AMENDMENTS TO CENSUS AND APPORTIONMENT BILL

Mr. BLEASE submitted two amendments intended to be proposed by him to the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, which were ordered to lie on the table and to be printed.

Mr. NORBECK submitted an amendment intended to be proposed by him to Senate bill 312, the census and apportionment bill, which was ordered to lie on the table and to be printed.

CLAIMS COMMISSIONS WITH MEXICO

Mr. BORAH. Mr. President, I send to the desk a resolution which I offer, and I ask for its immediate consideration. If it leads to any discussion, I shall withdraw the request.

The VICE PRESIDENT. The resolution will be read.

Mr. BORAH. There is no need to read the whereases. I may say it is a resolution requesting the President to negotiate an agreement for an extension of the time in which claimants can file claims under the treaty with Mexico.

The VICE PRESIDENT. Is there objection?

Mr. DILL. Mr. President, before the resolution is adopted it ought to be read. I ask for the reading of the resolution.

The VICE PRESIDENT. The clerk will read the resolution.

The resolution (S. Res. 73) was read, considered by unanimous consent, and agreed to, as follows:

Whereas it is provided by Article I of the convention concluded between the United States and Mexico on August 16, 1927, extending the duration of the General Claims Commission provided for in the convention of September 8, 1923, that "the term assigned by Article VI of the convention of September 8, 1923, for the hearing, examination, and decision of claims for loss or damage accruing prior to September 8, 1923, shall be, and the same hereby is, extended for a time not exceeding two years from August 30, 1927, the day when, pursuant to the provisions of the said Article VI, the functions of the said commission would terminate in respect of such claims"; and

Whereas it is further provided by Article I of the convention of August 16, 1927, that "during such extended term the commission shall also be bound to hear, examine, and decide all claims for loss or damage accruing between September 8, 1923, and August 30, 1927, inclusive, and filed with the commission not later than August 30, 1927"; and

Whereas it is provided by Article VII of the special claims convention concluded between the United States and Mexico on September 10, 1923, that the commission created pursuant thereto to pass on claims to which the convention relates "shall be bound to hear, examine, and decide, within five years from the date of its first meeting, all the claims filed"; and

Whereas by the terms of the said Article VII of the convention of September 10, 1923, the functions of the said commission would terminate in respect to such claims on August 17, 1929; and

Whereas it has been brought to the knowledge of the Senate that it will not be possible for the said commissions to hear, examine, and decide in the manner contemplated by the said conventions, within the times specified therein, all the claims which have been filed with said commissions in accordance with the terms of the conventions; and

Whereas it is in the interest of both Governments fully to hear, judicially determine, and settle all such claims: Therefore be it

Resolved, That the President is requested, in his discretion, to negotiate and conclude with the Mexican Government such agreement or agreements as may be necessary and appropriate for the further extension of the duration of the General Claims Commission provided for by the convention of September 8, 1923, and of the Special Claims Commission provided for by the convention of September 10, 1923, between the United States and Mexico, in order to permit of the hearing, examination, and decision of all claims within the jurisdiction of said commissions under the terms of said conventions, and to make such further arrangement as in his judgment may be deemed appropriate for the expeditious adjudication of said claims.

The preamble was agreed to.

CONSIDERATION OF NOMINATIONS IN OPEN SESSION

Mr. CONNALLY submitted the following resolution (S. Res. 74), which was referred to the Committee on Rules:

Resolved, That paragraph 2 of Rule XXXVIII of the Rules of the Senate be, and the same is hereby, amended to read as follows:

"All nominations shall be considered by the Senate in open session except that in any case the Senate may by a two-thirds vote consider a nomination in secret session. In such an event all information communicated or remarks made by a Senator when acting upon nominations concerning the character or qualifications of the person nominated, also all votes upon any nomination, shall be kept secret. If, however, charges shall be made against a person nominated the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret."

NATIONAL-ORIGINS CLAUSE OF THE IMMIGRATION ACT

Mr. KEYES. Mr. President, the Senator from Pennsylvania [Mr. REED] recently delivered a very interesting address over the radio on the national-origins provision of the immigration law. I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

In recent months our newspapers have printed many dispatches from Washington telling of the controversy over the national-origins clause of the immigration law. But I have been surprised to discover how little the proposition is understood. To my mind the whole future of America depends upon the preservation of a sound immigration policy and that is my excuse for the brief talk that I am giving this evening.

As you know, we have been limiting immigration throughout the past eight years and we must continue to limit it unless we are willing to see a great increase in unemployment. Our population is sufficiently large to develop our country and carry on its industry, and any considerable increase in population through immigration is bound to have an ill effect on American wages and American standards of living. America to-day is the magnet that attracts people from every land, and unless we maintain our immigration policy the number of newcomers will be limited only by the number of ships that sail the ocean. I believe that the policy of restriction has been approved by the sober judgment of our people and that we must do all in our power to sustain it.

If then we are going to hold immigration down to a limited number of persons, the question arises at once, How we are going to apportion that number among the millions of persons who desire to come.

As a temporary expedient we have been dividing the number up into immigration quotas for the various countries first in proportion to the number of foreign-born persons who were tabulated in the census of 1910 and later according to the foreign-born persons tabulated in the census of 1890. As a temporary expedient this was perhaps well enough, but it seems obvious to me that it should not be used permanently, because it ignores all of us who were born in this country; and surely we have as much right to be considered in the make-up of the quotas as has the most recently arrived unnaturalized European. And so in 1924 Congress provided that the experts of the Census Bureau, of the State Department, and the Department of Commerce should make a study of the national origins of the whole white population of the United States and that when that study had been completed the immigration quotas should be divided in accordance with the findings of these experts. For five years their study has continued and has now been completed. Of course, they have not tried to trace back the ancestors of particular individuals, but they have used all the population figures of every census, they have taken our immigration records as far back as we have any record of immigration, they have studied the make-up of our population in the Colonial period, have studied the foreign statistics of emigration from many European lands and their report is made with confidence in its accuracy. It is not simply based on the census of 1790 as some of its critics have mistakenly said. It takes all the facts there are and then apportions the new quotas in strict accordance with our racial make-up. It will go into effect on the 1st day of next July. It seems to me to be obvious that this method is the fairest that has been suggested. It means that each of us has exactly the same representation in the quota. It does not assume that one of us is better than another. It means that each year's immigration will be in miniature a counterpart of the whole population of our country. In other words America has decided that it will not permit its racial composition to be changed by immigration. We are strong enough to prevent our land from being conquered in war time, our duty now is to prevent its being invaded and dominated by peace-time immigration.

I have tried to describe what the national origins system is, now let me say a word about the controversy which reges around it. Obviously under the temporary method of apportioning the quotas according to the foreign born only, some nations were bound to get more than their share, according to the particular census that we were using. The nationals which get more than their fair share are, of course, reluctant to see that advantage disappear, and it is from the people of these groups that the whole of this agitation against national origins has sprung. For example, we know that 17 per cent of our population is of German origin. That is the figure that they themselves have claimed and that is the figure arrived at by the experts of the quota board. In fairness, Germany should then have 17 per cent of each year's immigration, but inasmuch as she now has 31 per cent under the temporary foreign-born method, the German group throughout the United States and the German steamship companies have stirred up a tremendous pressure upon Congress and the President to continue the present system. All of us, I think, recognize that the immigration we get from Germany is of excellent quality, and I am sure that we do not want to discriminate against them, but surely there can be no justification for continuing in their favor a system which gives such disproportionate results and is justly subject to the charge of unfairness by other nations. There is no time to-night to go into detail as to the character of the opposition to the law, the motives which prompt it, and the methods employed to defeat the national-origins clause. It can be demonstrated, however, that the opposition is due almost entirely to alien viewpoints, alien influences, and alien sympathies, masquerading in various guises and able to exert an enormous political pressure. If it were not for political expediency and the assumed necessity of catering to hyphenate groups in our present population, there would be no thought now of repealing the law. This is something that every American should clearly understand.

The pressure for the repeal of this law comes not from Americans but from those whose first loyalty is to some other country than this or who, at best, possess a divided allegiance. Nations may be destroyed in one of two ways—from within or from without. We are too strong to be attacked from without, even if there were those who would like to attack us. Our danger lies within, and it is to prevent it from becoming serious and actually threatening our institutions that Congress wisely has said, first, that immigration shall be restricted; and second, that it shall be restricted in such a manner as to preserve our present racial balance while we attempt to assimilate the alien elements now in our midst.

That is what the national origins law does, and all it does. It apportions to each European nation a share of our annual immigration equal to its proportionate representation in our total population. It says to the Germans, "Your predecessors and their descendants account for 17 per cent of our entire white population. Therefore you shall have 17 per cent of our immigration." To the inhabitants of England, Scotland, Wales, and Northern Ireland it says, "You shall have 42 per cent of our immigration, because 42 per cent of our own people are of the same stock." Similarly with the Irish Free State, which will have 12 per cent of our annual immigration; and the Scandinavian countries and Russia and Poland and Yugoslavia and Czechoslovakia and Italy and all the countries of southeastern Europe—each will be represented in the exact proportion of its representation in our present population, as ascertained by scientists and experts working under the direction of the Council of Learned Societies and by authority of Congress.

We do not say, "This racial stock is better than that." We do not pass judgment on the relative merits of national groups. We simply say, "This is our present situation; this is what we have now. Let us hold what we have and give everybody equal representation in our future immigration until we see where we come out."

We have learned by experience that the process of Americanization is not completed when the immigrant learns our language, nor even when he completes his citizenship. It takes a new viewpoint, a new loyalty, a new faith in the country to which our friends from across the Atlantic come to better their condition. Unless their change of residence results likewise in a change of allegiance, to the extent that they learn to think and act as Americans and not as Europeans domiciled in this country, they are not Americans at all.

Almost 100 patriotic organizations throughout the United States have formally recorded their support of the national origins law. The American Legion is behind it, the Daughters of the Revolution, the Daughters of 1812, and scores of others. They are doing what they can to counteract the hyphenate influences at work to force a repeal of this all-American measure.

But, best of all, these are growing indications that the great mass of Americans, who think more than they talk, have discovered the issue as their own. They have come to see that it touches each home and each individual, and that it will affect in turn their children and all the succeeding generations of those who call themselves Americans.

"THE SENATE AND ITS CRITICS"

Mr. WALSH of Montana. Mr. President, on last evening, Friday, May 24, the junior Senator from Massachusetts [Mr. WALSH] delivered an interesting address on the subject, The Senate and its Critics. The address was delivered over a coast-to-coast hook-up of the National Broadcasting Co., and is of particular interest to the Members of the Senate and the public in view of its analysis of the present-day criticism of the Senate and the sources of the same. I ask that it be printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Senator WALSH of Massachusetts spoke as follows:

Whenever the Senate gets into a "jam" over a national issue of some sort there is immediately a chorus of abuse from different corners of the country. "A bunch of wild radicals," shout some easterners. "The Senate is a millionaire's club," shouts back a westerner, and both sigh for the good old days when Senators were Senators.

The critics of the Senate have not found adjectives denunciatory enough to use in their characterizations of it. A surprisingly large number of people, including a substantial portion of the press, enjoy baying and yelping at the Senate. It has gone on for years, beginning, it seems to me, about the time of the prolonged fight in the Senate for the ratification of the World War peace treaty and the League of Nations covenant. Such terms as "our sinful Senate," "the radical Senate," "the inquisitorial Senate," "the rebellious Senate," and similar phrases only mildly express the terms employed. Its actions have been dubbed "political log rolling," "legislative obstruction," "knifing the President," and similar terms. One ought to be thankful, however, that the term "rubber stamp" is never applied to the Senate.

IS THE SENATE REALLY DETERIORATING?

No one, of course, will argue that the Senate has deteriorated simply because statistics show a smaller percentage of millionaires than used to sit and deliberate in that body. But what other idea can be in the minds of the propagandists who are subtly seeking to spread the notion among the unthinking—among those who are so gullible as to accept hand-me-down opinions and prejudices without examination—that the Senate is not the splendid body of statesmen that it used to be?

The propagandists imply that the Senate has deteriorated. Has it? Yes; if the measure by which you judge the value and usefulness of a legislative body is the wealth of its Members.

Has the Senate deteriorated? Yes; if the measure by which you estimate a legislative body is the personal record of its Members as attorneys for large interests before entering public life.

Has the Senate deteriorated? Possibly, if culture and social refinement and the little personal graces that are frequently, but not always, bred in aristocratic surroundings, constitute your test.

Certainly there is more political independence in the Senate to-day than formerly. Fewer men are bound by party dictation. Some argue that this is unfortunate. I do not.

Shall the elected representatives of the people slavishly follow political leadership, which is often subordinated to selfish interests, or shall they have the gumption to exercise their own judgment? Unless the public insist that their servants be left free to guard the public interests as their judgment and conscience dictate, what will be the result?

Once individual conscience is discarded the public servant becomes either a political automaton or the mere foil of sinister forces which are most proficient in the art of peddling propaganda. There is nothing more pathetic in the Senate than to see these men whom their colleagues recognize as mere dupes, men who from the beginning to the end of their careers do nothing except to answer the signal of the party bell ringer.

MORAL SERIOUSNESS THE REAL TEST

In my opinion there is only one test that it is fair to apply in determining whether the Senate is or is not deteriorating. That test is the moral seriousness of its Members. After all, the only reliable standard to measure the Senate by is not whether the Members are obedient to party leadership nor the cultural or social or financial standing of the Senators, but that moral seriousness which includes industry, courage, integrity, and a serious consciousness of the grave responsibilities of public service. Measured by this standard the Senate to-day can not be fairly branded "inferior."

THE NEW SENATE

One of the reasons for the propaganda against the Senate, the real reason for the effort to spread the delusion that its personnel has deteriorated since the Senators have been directly elected by the people is the presence in that body to-day of a new, substantial, aggressive, independent, and progressive type and spirit.

Here are men from the very bone and sinew of the various groups that represent the life and soul of America. Great problems, never more difficult of solution, are pressing for adjudication. Who would deny the farmer, the toiler, the consumer, even the so-called "radical," as well as the lawyer, the business man, the manufacturer, the millionaire, a hearing and a representation in the American Senate? Is it not significant that much of the present complaint comes because of the very democratic character of the Senate?

I believe that the Senate should be cosmopolitan in its make-up. From such a representative body, the rights of all are most likely to be safeguarded, whether they are rich or poor, strong or weak.

No political system will insure exact justice at all times between the producer and the consumer, the employer and the employee, the wealthy and the poor, the financial interest and the middle class. But, if the scales of equality and justice can not be balanced, the safety of the Republic, of all society in fact, demands that they tip more easily in favor of those less able to protect themselves. The country has never suffered from such a cause.

THE SENATE DEMOCRATIZED

If the Senate is less dignified, less conservative, less dominated, and less controlled by political party leaders, it is because democracy has made it so.

The militant minority that functions in the Senate more than ever in its history, and as in no other legislative body, is not because of new rules in the Senate, it is because the election of Senators has been taken away from the State legislatures and put in the hands of the voters. It is because the direct election of Senators, plus the elasticity of the Senate rules, has brought the Senate closer to the people. Democracy has transformed the Senate. It possesses no longer the old aristocratic bearing and tendencies. The tiresome, blundering nature of the Senate is evidence of its genuine democracy. Who would change it at the sacrifice of its democratic characteristics?

Yes; the direct primary and the popular election of Senators have tended to make Senators more attentive to what they think to be the will of the people than to any sense of party responsibility. Devotees of party responsibility naturally object to the spirit of independence that leads Senators to concern themselves less and less with party responsibility; but the question is, Do the people really suffer in consequence of this new democracy that has taken possession of the Senate? It is not a case of less autocratic and party responsibility in the Senate but more real democracy.

Let us see what else the democratizing of the Senate has accomplished.

In former days the Senate acted principally as a council of revision, and it did not presume to lead the way in legislation, to determine foreign policy, and to attempt supervision of the Executive. Indeed, its present dominating influence in our governmental systems is in large part responsible for much of the criticism of recent years. Of course, its garrulity, its oceans of speeches, has contributed greatly to the criticism. Personally, while I deplore the awful waste of time and the irrelevancy of much that is said and done in the Senate, I do not consider these major defects.

Organs of government always compete for power and authority. Formerly the House of Representatives was the most influential organ. To-day the struggle is between the Executive and the Senate. If the trend of America is toward the Mussolini theory, the Executive will win—but is America ready for the decline of legislative government? If so, we have indeed nullified the Constitution more effectively than any advocate of nonenforcement of the eighteenth amendment.

THE RADICALS OF THE SENATE

Those who are assailing the Senate are bitter in their denunciation of the "insurgent bloc" and "the radical bloc."

The classification of Senators as conservatives and radicals is a much misrepresented and a much misunderstood division.

There are no radicals, in the sense of extreme or wild political agitators, in the United States Senate. There are Senators who honestly and sincerely believe that the present economic system is operating to the detriment of the farmers of the West, who believe that discriminatory legislation, in favor of the financial interests in the East, has placed burdens on the farming population of the West that it ought not to bear, who contend that the agricultural producer is overburdened by the extortions of the middlemen and the high cost of transportation.

These Senators were elected to Congress by their constituents who under the Constitution of the United States have the right thus to express their convictions.

What more need be said, in justification of the presence of "irregulars" in the Senate than that the changing economic problems of the country are responsible for their being there?

The East has not appreciated the farmers' problem. It does not understand their psychology.

The agricultural West has sent a new type of Senator to Washington. He represents an economic group that has been hitherto inadequately represented there, and has suffered accordingly. It is all very well to rail against demagogues and economic nostrums, and to say that no Government can make agriculture prosperous. The Western farmer will reply that the Government has given very substantial assistance to the railroads and to the manufacturer.

Upon analysis, much of this abuse of the Senate will be found to originate with those who have looked upon the Senate as their very own, as a body existing exclusively to protect their interests and to advance their private projects, and to ignore the interests of millions of their fellow citizens, interests which in the end are just as important and just as vital to the prosperity and happiness of the country as those of any group.

I see no reason why anyone who believes in democracy should be depressed because the farmers of many Western States are manifesting a new spirit of independence and in some cases are sending to the Senate representatives lacking the cultural resources and the bank rolls of their predecessors. To my mind, this is a sign of the strength of our system of government.

That the western farmers for several years have been suffering acute economic distress can not be disputed. Is it not a healthy development that this economic distress among an important element of our citizenship should find constitutional expression in politics? What if some of the proposed remedies recommended by the new type of Senator from the West do appear unsound? It is much safer for our common country that the discontented farmers should thus express their discontent through political action than remain inarticulate and become in due time the impoverished and embittered followers of really dangerous radicals.

The leader who is really seeking to overthrow our institutions never works in the light. He labors in the dark in fields that have been prepared for him by the blindness of statesmen to the needs of the people.

PARTY LEADERS NATURALLY RESENTFUL

It is natural that an organization Republican should resent the independence of an insurgent Republican. There is this, however, to be said for the latter. He may have been elected by a revolting Republican constituency, a constituency that has rejected the old type of Senator because he appeared to be out of touch with the economic problem of the farmer.

If party labels no longer mean anything to those who are wrestling with new economic problems, that is not the fault of the voter. Lacking a party, an organized medium through which he may express his aspirations, the discontended voter selects an individual candidate, regardless of his party label, as the only instrument at hand. This is the meaning, in my opinion, of the lack of party solidarity and discipline in the Senate.

As for the irregulars in the Senate, my experience has led me to admire the seriousness of purpose, the vigilance in seeking to protect the interests of their constituents and the integrity of most of them. It is not fair to say that they are antagonistic to everything constructive.

THE SENATE VERSUS THE EXECUTIVE

Much of the denunciation of the Senate comes from those groups in this country that, consciously or otherwise, are urging an increase in the powers of the Executive at the expense of the Senate. This is apparent from the propaganda against the Senate urging the ratification of treaties by a majority instead of a two-thirds vote of the Senate; propaganda to amend the rules of the Senate enabling the majority

to cut off debate, and end minority obstruction, so as to speedily pass legislation; propaganda favoring the President being given power to appoint executive officers without the confirmation of the Senate, and much similar propaganda during recent years. Such action will bring the Senate down or up (depending upon one's viewpoint) to the level of the House and permit absolute executive and partisan control.

It is a singular circumstance that, while the country seems to be decidedly opposed to centralization of power at Washington, there is strong propaganda on foot to concentrate Federal authority and power in the hands of the Executive. If this is not a movement from representative democratic government toward bureaucracy, then I know not by what name to call it.

The Senate has differed with the Executive radically in recent years, but the public hear only news of the differences which the Senate has with the Executive. Such is sensational political news. The public rarely hear of the hundreds of times when the Senate and Executive are in accord; the percentage of treaties submitted by the Executive which the Senate fails to ratify, and the percentage of appointments which the Senate fails to confirm without a contest is uniformly infinitesimally small. That there should be an honest and sharp difference between large numbers of individual Senators and the President upon the solution of momentous economic, social, and political questions of the day is to be assumed. Who would have it otherwise?

Let me ask in this connection, What does a Senator owe to the Chief Executive of his own political party? Sympathy and cooperation whenever possible. No Senator owes the abandonment of the political philosophy which he has publicly espoused before election or the surrender of his conscientious convictions of what is best for the country in order to be loyal to his political chief in the White House. No man is worthy of a seat in high place who permits resentment or avarice or fear or flattery to move him.

Servility to any political interest—social, financial, or executive—is just as odious to a real statesman of proper vision as is blind and fanatical personal opposition.

Yet the cowardly, speech-padlocked, and vote-controlled Senators are often by the public, and certainly by political organizations, cajoled, given party preferments, and invariably "taken care of" by the Executive after they are repudiated by the people and fail of reelection. I am proud to say that the percentage of this class of Senators is small.

THE INDEPENDENT RECORD

The record of independence of the Senate—that kind of independence which was considered in the old New England town meetings one of the surest safeguards of democracy—has been converted by critics into attempts to belittle or lower the Senate in the estimation of the people.

Some of the most important service which the Senate has rendered to the public and which indicated its independence has been the reason for creating most of its powerful enemies. Disagreement with its militancy is in many instances the real reason for the hostile propaganda being disseminated. It is the independence of the Senate from party subservience that has bared to the country the story of the stolen oil reserves, administrative graft, political corruption, secret tax funds, the abuses caused by the use of excessive campaign funds in bringing about elections to the Senate, the lobby and its evils, propaganda of the power interests, and dozens of other vital measures.

If the Senate had been composed of "yes men" and lacked courage and independence, matters like these, which I admit are of vital interest to the people of a democracy, might never have been exposed.

Yes; the Senate has changed. It is no longer the sedate, dignified, party-controlled ultraconservative body of former days.

It came into existence as a rampart against popular legislative hysteria. This is, indeed, its constitutional obligation. Its rules were constructed to that end—to prevent hasty action.

Furthermore, the Senate is the last citadel of minority rights and the protector of weaker States.

In an age when executive authority is expanding tremendously the Senate is the only safeguard the people have against executive usurpation and bureaucratic tyranny.

DANGERS TO DEMOCRACY

The danger to democratic government has been steadily increased from several directions in recent years. Let me cite a recent example. Altogether apart from the merits or demerits of the flexible provision of the tariff law which gives the President the power to change rates up to 50 per cent, does not the action of the President a few days ago at the very time the Congress is revising the tariff, in raising the duty on window glass, flaxseed, milk, and cream, indicate the continuous concentration of greater powers in the Executive and is not such power a real danger to representative government?

This tariff-making prerogative is only one example, and I cite it because it is a recent example of the steady tendency in the direction of negation of our plan of government. This recent power which has transferred important functions of Congress to the President is a serious departure in the American form of government.

The question is not that one might prefer to trust the President rather than the Congress. The outstanding fact is that this one example, and many others which might be given, of the concentration of greater powers in the executive departments of our Government is tending to destroy the basic safeguards of government by the people. All history teaches that no lasting good has ever come from such a system. Mussolini typifies the system in Europe. Who wants to substitute it for the plan of the framers of the Constitution?

Where is there, outside the Senate, a power in our Government that raises over the desk of every attempt to extend Executive authority the sign, "Stop! Think! Beware! The Senate is still gagless"?

THE SENATE'S WORDAGE OUTPUT

That there is too much speechifying in the Senate must be conceded. Its wordage output is appalling and often nauseating. The spectacle of Senators talking at great length upon questions not before the Senate and of course not at all relevant to the immediate business of the Senate makes one question whether Senatorial privileges and rules are not too extensive. Freedom of speech means one is free to say what he pleases (within, of course, the known limits of libelous and treasonable language), anywhere in the country. If the Senate is to be a last stronghold of free speech and an argument for its exercise, why surrender this right because it is at times flagrantly and disgracefully abused?

Many instances might be cited to prove that the total effect of overreaching in the Senatorial proprieties of unrestricted debate, has been to do more harm to the "free speech" extremist than to the cause he assailed. Recall what has been the usual political fate of "loose-tongued" statesmen. Senatorial free speech, in other words, but illustrates that every privilege carries its own penalties. But all these are minor defects. The important thing to keep in mind is to prevent the Senate becoming a lock-step partisan-controlled institution and thereby destroy its democracy, which after all is the reason for its shortcomings and mistakes.

THE SENATE VERSUS THE HOUSE

If the epigram is true "that two great natural and historical enemies of all republics are open violence and insidious corruption" what organ in our National Government is by its very structure in a better position to combat "insidious corruption" than the United States Senate?

Have not legislatures in our modern-constituted governments been entrusted with not only the power of legislation, to control expenditures, but likewise to supervise the administration?

With the tremendous extension of the functions of Government and the increase of appointive officials and bureaus, with far-reaching and absolute powers, I submit, only congressional supervision can attempt to cure the ills of executive inefficiency or wrong-doing. There is no greater task for the legislative branch of our Government than to prevent bureaucrats from becoming autocrats, either from devolution of power upon them or because they work in unexamined security. Congress can only, after the bureaus spend the people's money that Congress itself appropriated, force its investigations and semijudicial examinations into corners suspected to be dirty.

Where are these investigations and this criticism to emanate if not the Senate? Party control in the House of Representatives is now so strong as to almost completely shut that body off from any embarrassing inquiry into the executive departments. It is only when the majority in the House and the President belong to different political parties that the executive departments suffer any scrutiny. The control of the House by a group of leaders is so complete that a resolution authorizing an investigation, in order to escape criticism, must pass several lines of defense which the rules of the House have made impregnable. I do not contend that this is necessarily bad, but I do argue that one branch thus organized is enough.

No group of leaders completely holds the Senate in bondage. There is no oligarchical control of it. This is the reason why it runs wild sometimes. The Senate alone is constituted as the organ of our Government which can, regardless of what political party is in control of the executive branches, prevent bureaus from becoming "unsupervised kings."

Grant much time is wasted on irrelevant matter in general; sometimes investigations are mere fishing expeditions and conducted for pleasure. All these evils have frequently been manifested. If the alternative is no inquiry or investigation at all, or inquiry and investigation that may be abused, then the choice must be the latter. Otherwise there is no method by which Congress may perform its duty of preventing the administration of the law and the expenditure of enormous sums of money being either corruptly or incompetently done. As a matter of fact, in my opinion, Senate inquiries are indispensable.

THE SENATE VERSUS BUREAUCRACY

With all its faults, and it has many, and serious shortcomings, yet the Senate is, generally speaking:

(1) The principal, if not the only forum of the Nation where interests are espoused, issues hotly debated, and aspirations are voiced which have no chance of being presented in the House of Representatives.

(2) The principal, if not the only valuable safeguard against executives (which includes, of course, all bureaus and departments), inefficiency, and corruption.

It is because debate is unrestrained, because party ties are less regarded, because independence is assumed, that Senate minorities are able to force some accountability into the rigid irresponsibility of the bureaucratic system so rapidly expanding. The Senate, as at present tempered and with restricted debate, prevents party control becoming a party cloak to effectively conceal what the executive departments desire to conceal.

The issue comes down to this: Do we want to curb the powers or restrict the procedure with more stringent rules of the single American institution that can investigate, scrutinize, and expose the activities of the hundreds of bureaus and the tens of thousands of employees, which in many instances possess the power to make regulations, as important as laws, to declare crimes and penalties, and to spend billions of the people's money? Surely some organ in our Government that is effective, and not a rubber stamp, should serve the people as a safety valve. I submit that the American Senate is the single American institution that is doing it and that can do it. It will blunder, at times its methods of investigation will be wasteful and offensive, all these evils have and will again be abundantly manifested, but what is the alternative?

Safeguards against bureaucratic evils must exist somewhere. An inquiry that is abused is certainly better than no inquiry at all. The abuses in the system of inquiry must be corrected within the Senate, but so long as the Senate itself is neither corrupt nor incompetent there will be a method to expose corruption and incompetency. Elsewhere—if not the Senate, there is no method by which the people can secure from its directly elected representatives responsible and efficient service in bureaus far removed from the people's influence and control.

COMPARISONS WITH THE PAST

It must be remembered, in making comparisons with the past, that the Senate to-day has more problems and problems of greater complexity to be debated, and is more continuously in session than formerly. At the present day a Senator speaks more frequently than the earlier Members of the Senate spoke and has much less time for preparation and the acquirement of a polished and rhetorical style. Hence, it is all the more remarkable that such a scholarly and able critic of the Senate as former Senator Bruce of Maryland should, during his early months in the Senate, again and again express surprise and admiration at the very large number of Senators who could "so clearly and ably express their views on public questions." Anyone who expects a Senate of higher moral seriousness than the recent Senates is looking for the millennium.

THE FUTURE OUTLOOK

I am not sure that the political situation in the Senate does not foreshadow a coming political realignment in this country. I am not sure that it would not be a healthier state of affairs if there were a great conservative party, standing for things as they are, and a great liberal party, constantly seeking to adapt our Government to changing economic and social needs; one party acting as a check on the other. In my opinion, much of the confusion at Washington to-day, including the embarrassment of party leaders by the independence of Senators, is due to the lack of a natural alignment of parties on the basis of economic policy.

NATIONAL-ORIGINS CLAUSE OF THE IMMIGRATION ACT—ADDRESS OF SENATOR HUGO BLACK

Mr. HEFLIN. Mr. President, my colleague, the junior Senator from Alabama [Mr. BLACK], recently delivered over the radio an address on immigration. I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Senator BLACK spoke as follows:

A few days ago the chamber of commerce of a great Texas city broadcasted pamphlets throughout the New England States setting forth the superior advantages of their locality for the successful operation of textile mills. One of the chief arguments presented was that inexhaustible supplies of unorganized cheap Mexican labor could be secured. The startling fact in connection with this statement is that it is true. Last year 57,765 Mexicans were legally admitted into our country. The additional number entering in violation of law is too uncertain to even hazard a guess. Immigration from Mexico has no legal limitation, and many good citizens without work can trace their lack of food and clothes directly to this Mexican door held open by Congress for the benefit of selfish employers of cheap labor.

The recent agitation for a repeal of the national-origins method of selecting immigrants has caused the eyes of the thoughtful people of this country to focus upon our immigration policy.

The issue in this question is simple. Our Government has adopted a policy of restricted immigration from European countries, while permitting unrestricted immigration from Canada, Mexico, and South America. National origin limits the number admitted to 150,000, while, if repealed, the number would be 163,000. The dispute at the present time is over the method of computing the ratio of nationals to be admitted to this country. Alien immigrants and group blocs from Germany, the Irish Free State, and the Scandinavian countries complain that under national origins a fair proportion is not allotted to their fellow countrymen. They claim further that England is permitted more than her just share of immigration to America. These clamors and quarrels have become so loud that the air of the entire country is filled with bitter wailing and gnashing of teeth on the part of foreign groups who remain loyal to their fellow citizens they left in Europe.

I would not say one word against the racial qualities of Germans, Scandinavians, and Irish. Their national traditions are rich in historic lore, and all can find events and accomplishments of their people which justifies their pride and reverence for them.

This country, however, is not Germany, Italy, or Ireland. There is no place for hyphenated citizenship in this country. I regretted very much to note in a magazine reaching my desk this week, filled with antinational-origins propaganda, a statement of a threat against a certain Senator by "German-Americans." This term of "German-Americans" was their own, and doubtless sounds harsh to the ear of patriotism. There should be no "German-Americans." A man is either a German or he is an American. There is honor in being either, but no man can serve two masters or two countries.

I take the position that it is our right and privilege as Americans to determine for ourselves whether we want any foreign immigration at all; and, if so, from what countries it should come. The confusion of alien tongues clamoring among themselves as to their rights in our country convinces me that the proper thing to do is to suspend all immigration for a period of five years, in order that the entire matter may be considered from the standpoint of what is best for our country. One hundred and fifty thousand immigrants yearly is not of sufficient importance to our great country to justify this quarrel, with its accompanying bitterness and hard feelings. I favor an absolute suspension of all quotas and all immigration from all countries while these studies are being made.

We have a right to stop all immigration and a further right to select the future citizenship of this country on any basis we may see fit, racial or otherwise.

There is an ever-increasing sentiment among the people of America, including those who have most recently come to this land, that some time we must and will determine the character of those who enter our country upon a basis of rapid and successful assimilation with our present citizenship. We have closed our doors to certain Asiatic people because of this consideration. The time is coming when we must extend this prohibition in defense of racial purity and national traditions.

The wisdom of a complete restriction of immigration for a period of years perhaps can not be well understood without reflection for a few moments upon the historical growth of our present national citizenship. Since this is a government of the people, for the people, and by the people, the qualities of these people necessarily determine our laws, institutions, traditions, and customs.

The First Census, taken by the United States in 1790, shortly after the successful revolution had been fought, disclosed a citizenship divided in the main as follows:

English and Scotch	89.1
German	5.6
Irish	1.9

Casual thought might lead to the belief that America since 1790 has been built up mainly by immigration from foreign shores. This statement is incorrect. In 1790 the census showed a population of 3,172,444. To-day we have a population of approximately 120,000,000. A little more than 30,000,000 of this 120,000,000 has been supplied by foreign immigration.

It is interesting to note that for the first 90 years of our history—viz, from 1790 to 1880—the total foreign immigration was 10,171,889. It is also of great importance to note that within a period of 40 years, from 1880 to 1920, there was a total foreign immigration of 17,795,386. Ten million immigrants in a period of 90 years can be far more easily absorbed into the social, political, and economic life of a nation than can 17,795,386 in a period of 40 years. Every student of government since the beginning of time has realized the difficulty of amalgamating people in one nation who speak different languages, have been reared in different environments, and practiced different customs. None, perhaps, will deny that a national spirit of patriotism and ideals can be carried forward more harmoniously by an amalgamated citizenship than by a citizenship split and torn asunder by various racial and national characteristics.

Bearing this in mind, it is of great significance in determining what action should be taken in America at the present time to know that there are now in our Government 14,500,000 foreign born, or about 4,500,000 more than were absorbed into the entire citizenship in the first 90 years of our history. It is also of great importance to note that in numbers of our cities, viz, New York, Boston, Chicago, Milwaukee, Providence, R. I., Buffalo, N. Y., and others that approximately two out of every three people living within their boundaries were

either born in foreign lands or are sons and daughters of foreign born.

In reaching the conclusion that this constitutes a national problem, it is not necessary nor wise to attempt to declare the superiority or inferiority of any particular race or nationality. There is no particular race which has progressed to a modern state of civilization which can not present many arguments to establish the fact that it is not inferior to other nations and races. The fact remains, however, that different races and nationalities when combined under one government and within the same area must attempt to bring about a coordination of their aims and traditions.

We owe a duty to the 14,500,000 of foreign born within our land which we can not shirk. In order to become useful citizens they must gradually merge in our institutions. It is not good for them and it is bad for us to permit the continuation of foreign groups and blocs. No one would deny, perhaps, in Germany that the presence of 14,500,000 people of foreign birth, speaking a different language, would be a serious problem confronting that nation. It would be so with 14,500,000 foreign born in Italy or any other country. It must be so in America, and the problem to consider therefore is whether or not there are any compelling reasons which require that we increase the number of foreign born by continuing to permit foreign immigration before we have first absorbed those that are here.

Perhaps the most common reason urged against the exclusion of immigration is that foreigners are needed to perform the manual labor of this country. The beet growers of the West insist that they must have Mexicans and that Americans will not work on beet farms. There are several answers to this proposition. In the first place, the work on beet crops is required for only about two months out of the year. In addition to this fact I have been told that Americans will work on beet farms, provided they are permitted to work among themselves and not by the side of Mexicans, whose language and customs they do not understand.

Another complete answer to this statement is found in the census of 1920. It is shown therein that there are 16,778,668 native white Americans doing the common labor of this country, as against 6,627,797 foreign born.

This census also shows that there are farm laborers working on a salary who are native born to the number of 1,060,096 as against 163,475 foreign born.

The statement that the native American will not do any work that is honest and do it well is an insult to our Government and its people. It is true that Americans object to working for wages which do not permit them to live according to the American standards, and under conditions and surroundings that are filthy and dirty. The fact remains, however, that if there is any honest work to be done in this country, and any industry which needs to be carried on, there are enough men and women of the 120,000,000 now in America to perform the labor and the duties, provided they are paid a living wage for the work.

As a matter of fact, this question of labor is an all-important one in the consideration of foreign immigration. Mr. Samuel Gompers some years ago, came out in the Federation of Labor Magazine for a complete prohibition of foreign immigration. The American Legion in 1921 did the same thing. Various patriotic organizations have declared themselves against requiring American labor to compete with foreign immigrants. There are still some, however, who cling to the old idea that there must be cheap labor to bring about prosperity in this country, and forget that what a democracy demands is a virtuous and glorious citizenship. These people who cry for cheap labor, take the position that the workingman must always bid for his job, and that the employer need never bid for those who work for him.

We do not need statistics to prove that there is a surplus of common labor in America to-day. A number of men and women without employment in every community are eloquent arguments against the importation of foreign competition. What this country needs to-day is not so much hands for the performance of manual labor but minds and characters capable of understanding, appreciating, and performing the duties of American citizenship.

There was a time when we needed new citizens, in order to settle our virgin soil. That time is past. To-day, what we need is employment for those who are honest, energetic, and capable, but who have been driven from their position by modern machinery.

America would not be alone if it did attempt thus to protect its own citizenship. European countries have adopted various expedients to prevent foreign competition among their workers. Germany fixes every year beforehand the number of immigrant land workers to be admitted into their country, and all alien workers must hold a permit from the Government. Denmark does not admit alien workers unless the national immigration committees, on which labor is represented, find that no native labor is available for the work. Finland compels foreigners to obtain a residence permit from the police if staying longer than three months, and the authorities may dictate the place of residence. Hungary prohibits the entry of alien workers unless they hold a permit from the Minister of the Interior, and this permit is valid only for work at a specified place and for a specified time; the alien worker may not accept employment elsewhere. Deportation is also provided by the Government of Hungary in the economic interests of the country. Rumania authorizes the Minister of Labor to prohibit or restrict the entry of alien workers of certain occupations. Rumania also prohibits the employment of a foreign worker unless his employer agrees to take a Rumanian instead if the employment exchange can find him one. Switzerland prohibits the entry of immigrants to fill jobs until these posts have been advertised in the federal employment office. Alien land workers and domestic servants are admitted for two years only in Switzerland. Yugoslavia has adopted regulations providing that foreign workers who have entered the country since 1922 must hold permits from Government inspectors, and these must only be granted if the workers are really needed. Even South Africa permits its authorities to prohibit any immigrants "unsuited to the requirements of the Union on economic grounds. Brazil suspends immigration in times of economic depression by ordering her consuls not to issue passports. It is also interesting to note that Arabs, Syrians, Armenians, Turks, and Hindus are excluded from Costa Rica, Panama, Haiti, Natal, and Canada.

It is thus seen that while many citizens of this country are clamoring for an increased number of immigrants from Germany, that the great country of Germany prohibits our workers from taking the jobs held by German citizens in that land. The voices that cry loudest for increased immigration in this country are usually those who were born in foreign lands, where Americans are not welcome to work and are prohibited by law under the most severe restrictions.

There is no legitimate argument that can be advanced to establish the fact that Americans need more immigrants at the present time. We have more people than we have jobs. True it is that many foreigners will work at a cheaper wage than many Americans, but this is all the more reason that employers should be required to pay a living wage in accordance with the American standard. The present unemployment can not be aided by permitting a greater number of immigrants, and the number of unemployed must be increased by permitting any immigrants at all. Every time an additional immigrant comes to our shores he must take the job held by some American citizen. This, I contend, is shortsighted policy, is not justified upon any economic theory that can be advanced, and is a slap in the face of those Americans now in our midst, both native and foreign born, who are willing to do the work of the Nation if they are paid for it.

The first duty of a government is to its own citizens. Self-protection is the first law of nature. We should first see that every hungry mouth is fed by the employment of our own people within our own boundaries before we open our gates ostensibly on humanitarian grounds. With gaunt hunger stalking in our midst, with factories all over the land working on part time, with men crying for jobs that they may feed and clothe their offspring, who dares to take the position that the hope of honest employment must fade further away into the future because there are men who desire to come to America from other lands, when their very governments deny the great boon of employment to American citizens?

A great proportion of the 14,500,000 foreign born in America to-day are uneducated and illiterate. They are certainly not completely familiar with American customs, manners, social life, political ideals, and economic affairs. Time alone can give to most of them a slight smattering of knowledge along these lines. We would have their children merge in our great system of government and become a part of the social, political, and industrial life of our Nation. The more unemployed and foreign born we have the greater is the problem. If American ideals and traditions of the past are to continue to be the American ideals and traditions of the future, immigration must stop for a while. After we have had time to make a scientific study of the entire question on racial and other grounds we can draw new immigration legislation to suit conditions. With malice toward no nation and no people, but with love not only for other countries but for our own people, let us solve this question. In the meantime let us suspend further immigration while our own citizens clamor for honest work at a living wage.

AHEPA NATIONAL BANQUET—ADDRESSES OF SENATOR WILLIAM H. KING AND HIS EXCELLENCY CH. J. SIMOPOULOS

Mr. WALSH of Massachusetts. Mr. President, our country has been enriched by industrious and progressive persons who have come from other lands. They have taken upon themselves the responsibilities of citizenship and have contributed in many ways to the development of our country.

In ancient times Greece carried high the banner of art and literature and political philosophy, and inspired her sons with a love of justice and liberty which manifested itself in the lives of their descendants.

There have come to our shores a large number of Greeks and they are to be found in every State of the Union. An organization of American citizens of Greek birth or descent has been formed in the United States and numbers more than 20,000. This organization bears the name Ahepa, and was formed, among other things, to encourage its members and those of Greek origin loyalty to the United States and allegiance to the flag. It teaches support of the Constitution, love of this

Republic and its institutions, and seeks to prepare its members for the duties and responsibilities of citizenship.

This organization has chapters in every State of the Union and representatives of these chapters recently held their annual convention in this city. Their sessions closed with a banquet at which hundreds were present, including a large number of Senators and Congressmen and public officials, both State and National. Among those in attendance were the junior Senator from Utah [Mr. KING] and the minister from Greece to the United States, His Excellency Ch. J. Simopoulos. The Senator from Utah was introduced as toastmaster and delivered an address, and in the course of the proceedings an address was delivered by the minister from Greece.

I ask unanimous consent that these addresses may be printed in the CONGRESSIONAL RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD.

ADDRESS BY SENATOR WILLIAM H. KING

Senator KING spoke as follows:

Mr. President, Mr. Minister, members of the Ahepa Society, and ladies and gentlemen, I can not find fitting words to express my appreciation of the most cordial and generous welcome accorded me. I deeply appreciate the evidences which have been brought to my attention from time to time of the friendship and regard of the members of the Ahepa organization, and I feel deeply honored in having been selected to act as toastmaster upon this occasion.

I note a large number of distinguished Senators and Members of the House of Representatives who are here to-night as the guests of the Ahepa. May I say, facetiously, that it is not often Members of the Senate and House are called upon to rise and join in applause of one of their own number. I am inclined to the view that Representatives who sit at the opposite side of the Capitol from that occupied by Senators will be less disposed to join in greetings extended to a Member of the Senate [laughter], because, as is well known, Members of the House of Representatives regard that important branch of our National Legislature as far more important than the Senate. I notice that my friend, Mrs. KAHN, the distinguished lady Member of the House from California, approves of the last part of my statement, because she smiles and applauds. I might add, however, that I am in agreement with her, because when I was younger I had the honor of being a Member of the House of Representatives. [Laughter and applause.]

Perhaps any feeling of jealousy that my senatorial colleagues may have because of my selection to preside at this banquet instead of one of their number will be eradicated from their hearts when I say that the reason grows out of the fact that for a number of years I have been deeply interested in this organization, and, indeed, had something to do with its creation.

Perhaps there are some present who are not fully advised as to the character of this important and splendid organization. By reference to the menu you will notice the word "Ahepa." Some may be curious as to its origin and attempts may be made, out of the letters forming the word, to frame some Greek word or sentence for which it stands. The word "Ahepa" is formed by selecting the first letter of the words constituting the name of the organization which has brought us together tonight, namely, American Hellenic Educational Patriotic Association.

This organization was founded by representatives of the Hellenic race, who are now citizens of this Republic. Some were born in Greece, others are descendants of Greeks who left their native land to find a home in the New World. If I may be pardoned, a personal allusion: From my boyhood days I have been deeply interested in all that pertains to Greece; her philosophy, history, literature, art; indeed, her history in all its varying phases has engaged my serious and earnest attention. I saw in the World War an opportunity for the Hellenic race to receive a new birth and to become a powerful state; indeed, the most important nation in the Levant. I believed that most of the territory which more than 2,000 years ago constituted a part of the Hellenic Nation, should be restored to Greece, and that the allied and associated powers in any treaty which they might negotiate with Turkey should make provisions for the realization of that objective.

I had the honor of offering in the Senate one or more resolutions expressing that view, and upon various occasions urged that the boundaries of Greece should be extended to include the islands in the Mediterranean and Agean Seas and territory in Asia Minor which was occupied by the Hellenic race and which in past centuries constituted a part of the Hellenic States. Because of my position in this matter I was, perhaps, brought into closer contact with those of the Hellenic race who had made their homes in this Republic. May I add, somewhat by way of parenthesis, that there were thousands of fine, courageous, and patriotic Americans of Greek birth or descent, who formed a part of the mighty host enlisted in the United States to participate in the conflict which we and history will call the World War. Upon a number of occasions I had the opportunity of addressing persons of Greek birth or descent, in various parts of the United States. I discovered that they were anxious to discharge every responsibility resting upon them as citizens of this Republic. Some of them, as I have indicated, were the descendants of Greek parents. Of those born in Greece many had taken upon themselves American citizenship, while others were waiting with eagerness the day when they might renounce their allegiance to their mother country and take upon themselves the high responsibilities of American citizenship.

I repeat when I say that all, whether citizens or not, were deeply interested in learning of our Government, its philosophy, its fundamentals, and the principles upon which it rests. All desired to enter into the spirit of this Republic, to be guided by its ideals, and to contribute to the accomplishment of the great mission for which, by Providence, it has been ordained. In some of these gatherings in which I had the pleasure of participating, suggestions were made that an organization or society be effected, national in extent, with local subdivisions, the membership of which should be American citizens of Greek birth or descent. The object of the organization was to inculcate American ideals, teach democratic principles and the duties and responsibilities of citizenship, and also to help those of the Hellenic race who come to our shores to become oriented, to learn our language, customs, and thoughts, and to be prepared for useful work and service. It was believed that there was a broad field for the activities of an organization of this character, and the result was the organization of the Ahepa.

In the beginning the organization was small, but it has grown rapidly and it now has more than 20,000 members. It has scores of chapters in various parts of the United States. Its work has been of a very high character and its accomplishments of inestimable value, not only to its members but to those who have been brought within its influence. It has been a sincere teacher of Americanism and has exercised a powerful influence upon those of Hellenic birth or descent within the United States. It has impressed upon the minds of Greeks who have come to America that there were serious and heavy responsibilities resting upon them when they sought citizenship in this Republic. In addition to its demands that all Greek-Americans should be patriotic and loyal to the spirit and institutions of this Republic, it has emphasized moral and ethical and spiritual precepts as indispensable guides to the lives of Greek-Americans.

As I am advised, there are chapters of the Ahepa organization in every State of the Union, and the large number of Senators and Representatives gathered around these banquet tables, if they have not been told, will now appreciate that the invitations received by them came through or by reason of the Ahepa organization within their own States and districts. I take this opportunity to state to my friends from the House and the Senate that in the organization which has brought us together to-night there are hundreds, if not thousands, of men of high standing who hold positions of importance and responsibility in various parts of our country. In the Ahepa organization there are thousands of men who came to the United States as poor boys, perhaps without friends, and without any knowledge of our language. By their thrift and energy and industry they have risen to positions of trust and responsibility in the communities in which they live. Many of them are preachers, lawyers, engineers, doctors, bankers, business men active in industrial and other enterprises, professors, teachers, and, indeed, there is scarcely any useful and important field of human endeavor which they have not entered. I personally know of scores of men within the categories referred to, who came to the United States as poor and friendless boys, who have by their genius, energy, integrity, and indomitable courage, won their way to positions of prominence and influence in the communities where they are established.

From Salt Lake City, my own home, there is present here to-night a member of the Ahepa who is one of the finest and most representative men of my State. I shall take the liberty of asking him to stand up so that we may see him. [Thereupon Mr. Stathakos arose and was enthusiastically applauded.] He worked his way through our public schools and through the university, and is now professor of mathematics in an important educational institution of the State.

It is a great pleasure to refer to the excellent work which has been performed by the Ahepa Society, and to bring this organization to the attention of so many representatives of our National Legislature.

It is significant that among those of Greek birth or descent, we find, when opportunity is given, so many of the characteristics which brought ancient Greece to the position which made her the intellectual leader of the world. I have observed among members of the Ahepa Society, as well as others of Greek origin or birth, those qualities of mind which were so conspicuously developed by the Hellenic race in past centuries. Many are devoted to art and literature and to professional activities. Others succeed in the field of business and trade and commerce.

When Mr. Vournas was speaking about Euripides I was reminded of the statement made by a great French savant who said of Raphael, that he had absorbed his predecessors and ruined his successors. It is not improper, upon occasions of this kind, or indeed when persons meet to discuss religion, philosophy, art, and literature, and those questions relating to human progress, that reference should be made to Greece and the great contribution which she has made to the advancement and civilization of the world. The world is indebted to Greece for the rich inheritance which she bequeathed to mankind. Not only American

citizens of Hellenic origin, but all who live under the flag of this Republic, are the direct beneficiaries of the intellectual conquests and mighty achievements of the Hellenic race.

Is it not true that long before the Christian era the Greeks had absorbed their predecessors and had carried to the highest point theretofore reached the standard of literature, of painting, of sculpture, of philosophy, of logic? Indeed, there are many who say that no higher standard of intellectualism has ever been attained in any age or by any people. Even in this enlightened age we go back to ancient Greece and the rich treasures she garnered for succeeding ages. I sometimes wonder if the world has made much intellectual progress since the days of Plato and Socrates and Aristotle. In pure intellectualism no age has ever surpassed, and perhaps none has ever equalled, the Greeks of the time of Pericles. Noble and elevated conceptions of the unity of the universe, of the principles of justice and morality, were understood and taught by Grecian philosophers and poets hundreds of years before the Christian era. Hellenic civilization in the fifth century B. C. underwent a remarkable transformation not unlike the renaissance in later Europe. Old forms were modified or discarded; new concepts of the universe and man's relation to it were developed; new social forms were created and new forms of thought evolved; and the most gifted of the races of men "burst into maturity." Socrates, as revealed in the Phaedo, gave to the world a vivid impression of an implicit confidence not alone in God's existence but in His intelligent and spiritual perfection. "The God of Socrates is an infinite spirit, a Being in whom all wisdom, truth, and beauty lie—the one real existence to which the mind of man may turn." He asks of man, "* * * shall the seeker of true wisdom, who cherishes the hope that he will meet with it nowhere but in eternity, be grieved at death and not rather glad to go? Surely must he think so, friend; for, if a philosopher, he will be firmly convinced that he will find true wisdom in the other world along."

He speaks of mortal man who dies, but that part of him which truly lives "takes its flight afar, safe and imperishable." He speaks of virtue and wisdom as the "wings of the soul" in its flight, and asks the people to leave nothing undone to share therein, for "noble the reward and great the hope."

These conceptions of the verities and fundamentals of life and of nature have seldom been attained and are only surpassed in the sublime teachings and the spiritual manifestations of the faith of the Risen Lord. The philosophy of Socrates teaches that injustice begets injustice, and therefore it is the duty of a just man "neither to injure a friend nor any other." May it not be said that he teaches that we should do unto others as we would have them to do to us? Plato speaks of those who earnestly seek to become just and in the "practice of virtue become like God as far as lies in the human power."

Aristotle speaks of the Deity as a "first cause and principle of things," and the poets of Greek tragedy, such as Æschylus, Sophocles, and Euripides, give emphasis to the higher moral and spiritual concepts of their day. We often speak of the law of nature or of a higher law which rises above human pronouncements. Antigone gave expression to this view when she declared that there were laws higher than those which came from Zeus or mortal men, and that decrees of the latter could not "override those unwritten and unfailing mandates which are not of to-day or yesterday and no one knows their birthtide." Centuries later Cicero spoke in a similar way of the higher law, "which was never written and which we are never taught, which we never learn by reading, but which was drawn by nature herself." And this view was developed in the Roman law and recognized in the distinction between jus civile, or the law of the state, and jus naturalae, or the law of nature. Our juridical system recognizes a higher law which even transcends the authority of living generations—the natural law, the law of God, the eternal principles of justice and righteousness.

So we go back to ancient Greece and draw from the fountains of her universal knowledge principles to guide this generation.

The writings of the Greeks speak of an omnipotent divinity and emphasize their belief in man's immortal nature. Moreover, they present a noble conception of ethics and morality, justice being the aim of their system of philosophy and religion, and the highest attribute of God himself.

Æschylus speaks of the great "King of Kings, most blessed of the Blest, most perfect Might of power's last degree," and of God and His justice, man's immortality, and the retribution for sin:

> "Look up to Him who watches from on high
> And guards the toiling sons of men, and those
> Who justice from their fellows seek in vain;
> The wrath of God of suppliant abides,
> Nor by the guilty's woes is soon appeased."

And Euripides says,

> "Far better than a host, without the right
> Is one good man in God's and Justice's sight;
> Who knows but what we live in Death's dull bond,
> And dying, enter into life beyond."

When one speaks of Greece the temptation is great to enlarge upon her imperishable gifts to humanity. We are indebted to Greece, and so long as men seek justice and the realization of democratic ideals and beauty and art, Greece will be remembered. But I shall not transgress the proprieties of the occasion and occupy more of your time. As you know there are other speakers whom we shall be delighted to hear; and following the addresses and the musical numbers which the program calls for, the Ahepa Society invites us to enter the magnificent ballroom which this hotel provides and take part in the dance. [Applause.]

In introducing the minister from Greece, Senator KING spoke as follows:

Ladies and gentlemen, I was in Greece three years ago and had opportunity to learn of the difficulties and problems before the people of that country. As you know, for a number of years preceding the World War they had been engaged in conflicts with Turkey and Bulgaria. During the World War their position was one of great difficulty and entailed upon the people of Greece enormous sacrifices. Before the war ended they actively participated on the side of the Allies and materially contributed to the defeat of the Central Powers. For centuries they were the victims of the cruelest oppression at the hands of the Turks. They were despoiled of their territory, robbed of their possessions, and deprived of their liberty. The previous speaker referred to the Hellenic race as being an outpost of Christianity. His statement was entirely accurate, and may I take this occasion to say that the Greek Orthodox Church for many centuries has carried high the standard of its faith. It spread Christianity in Russia; overthrew, by its teaching and precepts, the pagan system which had for centuries there prevailed, and constituted no unimportant force in preserving the Hellenic race and keeping alive their ideals and national aspirations.

A short time before I visited Greece more than a million Greeks had been driven from Macedonia and other parts of Asia Minor. Their only place of refuge was the little State of Greece. More than 150,000 Armenians, some of the remnants of a heroic race, also had been driven from Asia Minor by the Turks and had found refuge in Greece. Notwithstanding the poverty of Greece and the years of war and privations through which she had passed, these refugees were hospitably received and efforts made to alleviate their sufferings and to provide for their future. I was amazed to see the courage and resiliency of the Greeks. There was no despair in meeting this great burden placed upon them. They emphasized the truth of the statement of Euripides that cowards do not count in battle. They were having an economic and industrial battle, one which tested their strength and morale. They were trying to save not only themselves but nearly a million and one-half of poor, starving people who had been cruelly thrust from their homes.

I perceived that Greece had weighty and important domestic as well as foreign problems; and yet in this situation there was unmistakable evidence of the competency of the people to meet the situation and to develop a stronger people and a more powerful state.

We have with us to-night a representative of Greece—one whom we all love because of his fine qualities and high character. He has been in the diplomatic service of his country for many years and has been its honored representative to the United States for a number of years. He has earned the confidence and esteem of the American people. His unfailing courtesy, his knowledge of diplomatic usages, his appreciation of the obligations resting upon him, his genuine spirit of democracy—these and other high qualities have brought to him the admiration and esteem of those in the United States of the Hellenic race, and the American people as well.

It is my honor and pleasure to present to you His Excellency C. Simopoulos, Minister of Greece to the United States.

ADDRESS BY HON. CH. J. SIMOPOULOS, ENVOY EXTRAORDINAIRE ET MINISTRE PLENIPOTENTIAIRE DE GRÈCE

The minister spoke as follows:

I wish to thank the chairman very much for all of the kind words he has said for my country and for myself.

I feel extremely happy to be with you to-night and to see so many of our American friends with us. This constitutes the best proof of the appreciation of your society, as well as appreciation for the successful development which our people have had in this country.

I have had the occasion in my different visits to know the personal history of many of our countrymen in the United States, and this intimate knowledge has only increased my admiration for their achievements. They came to this country not so very long ago, and most of them, without the slightest knowledge of the language, and in this comparatively short time they have been able to make wonderful progress. Industrious in time of peace—they have been brave in time of war—glad to prove their love for their adopted country and proud to have given a national hero to America, George Dilboy, who was one of them.

With regard to the relations between Greece and the United States, I consider that the Greeks have been the unofficial promoters in the economic intercourse between the two countries. Even our exchange of commodities with the United States represents a greater volume than all of the other Balkan States together. This is in great part due to the Greeks in this country.

It is with great pleasure and satisfaction that every day I see the number of vessels going to Greece become larger, and the ship lines

increase. I sincerely trust that the day is not very far distant when the present passenger and freight vessels of the various lines between Greece and the United States may be enlarged so that direct intercourse between the oldest democracy and the youngest may reach its maximum. I should also like to point out that the Americans visiting Greece will have the opportunity not only to see what we are doing in our country but to ascertain what the Americans are doing in Greece, because many of you will be happy to learn that the execution of our most important public works has been undertaken by American companies; that is, the water supply of Athens and Piraeus; the drainage of the Strouma; the drainage of Axios, and are being executed by the Ulen Co., the Foundation Co., and the Monks & Ulen Co., of New York.

The American visitors will enjoy seeing the Greek-American College, which will be one of our finest institutions. They will be interested in the activities of the Y. M. C. A. and those of the Near East Relief. They will also view carefully and admire the marvelous work of the American Archæological School, and I hope very soon this school will see its activities enlarged; and when the agreement with the Greek Government will be consummated under which the area around the Acropolis will be excavated by this school, and it will be of the greatest interest to see the sons of this active and progressive democracy unearthing the treasures of the golden age of Pericles.

But in order to appreciate fully what has been accomplished by Greece in 100 years the visitor must take into consideration the fact that Greece emerged from a long and destructive war of seven years after finally throwing off the Turkish yoke. One hundred years ago Athens and Piraeus together did not have a population of more than 14,000 souls, whereas to-day the population of Athens alone is over 500,000, while the then deserted port of Piraeus now has become one of the busiest ports in the Mediterranean.

When modern Greece was first created its population was hardly 1,000,000, and the majority of our race was left under the Turkish yoke. If we were not conscious of our national obligation, we could have had the most perfect life, enjoyed the greatest prosperity under our beautiful blue skies; but we always felt that we had to accomplish our historical destiny and liberate our oppressed brothers; and the Greek people during all this century unhesitatingly accomplished all the sacrifices, and, animated by this spirit, after the disaster in Asia Minor, we have received 1,500,000 refugees, proud to share with them the miseries resulting from the war.

Now, with the greatest majority of our people within our own frontiers, all of our efforts are directed toward peaceful and constructive work; and under the powerful leadership of Mr. Venizelos our policy is directed to the establishment of most friendly relations with our neighbors, and I need not add the marvelous repercussion that the efforts of this great country toward peace have found in my country.

We do not wish to miss this opportunity to point out how grateful we all feel toward this country for the help given us by the American people during the last years, and in accomplishing this agreeable duty I shall end by wishing continued greatness and prosperity to the United States and her people. [Applause.]

DECENNIAL CENSUS AND APPORTIONMENT OF REPRESENTATIVES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, the pending question being on Mr. SACKETT'S amendment, in section 22, page 16, line 15, after the word "State," to insert the words "exclusive of aliens and," so as to make the section read:

SEC. 22. That on the first day, or within one week thereafter, of the second regular session of the Seventy-first Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State, exclusive of aliens and excluding Indians not taxed, as ascertained under the fifteenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the existing number of Representatives made in the following manner: By apportioning the existing number of Representatives among the several States according to the respective numbers of the several States as ascertained under such census, by the method used in the last preceding apportionment, no State to receive less than one Member.

The VICE PRESIDENT. The Senator from Kentucky [Mr. SACKETT] is entitled to the floor.

Mr. COPELAND. Mr. President, before the Senator from Kentucky begins his address, may I ask if he intends to consider the constitutional aspects of the amendment he is offering?

Mr. SACKETT. I will say to the Senator that I am going to discuss the constitutional question from the viewpoint of a layman of the Senate with a legal mind, if I may put it that way. I do not intend to discuss it as a constitutional lawyer. I would not presume with my short practice of the law to discuss it on that basis. However, there are a great many Members of the Senate who are not lawyers, who have not had the advantage of any legal training, and I do expect to say something to them on the subject of the constitutionality of the question.

Mr. COPELAND. The Senator, of course, is aware that Mr. HOCH, in the House, had under consideration the same matter and decided that he could not conscientiously press it because he considered it unconstitutional.

Mr. SACKETT. I know Mr. HOCH had that view, and I also shall bring forward a number of views that have been expressed similarly by great constitutional lawyers on a number of questions in connection with the identical matter, in which they held it was unconstitutional, and yet the proceedings under those provisions are in the law of the land to-day.

Mr. COPELAND. If the proposal is clearly unconstitutional—and, of course, I am not competent to consider that question—it would be a work of supererogation——

Mr. SACKETT. I must decline to yield further because I wish to proceed.

The VICE PRESIDENT. The Senator from Kentucky declines to yield further.

Mr. SACKETT. Mr. President, the object of my amendment is to limit the number of people who shall be counted for the purpose of arriving at a basis for representation in the Congress of the United States to those who are citizens of the United States and to exclude from that count those people who have come here and have never signified in any way their interest in this Government sufficiently to become naturalized. The object of the amendment is to reserve the American Government for those who have faith in the Nation.

I wish to say, in the opening of my address, that according to the estimates which have been made my own State will lose two Representatives. I think I demonstrated by the votes I cast on yesterday that the mere fact that the State of Kentucky will lose two Representatives is not the moving spirit of my amendment, for I voted to retain in the bill the provisions for reapportionment that are there at the present time. However, in the State of Kentucky we have less than 15,000 aliens out of a population of some 2,500,000, in round numbers. In many of the other States of the Union from 20 to 30 per cent of the population are aliens who have not become citizens; and when representation in Congress is apportioned on the count of those aliens the American citizen is deprived of an equal representation in the House of Representatives. To prevent that is the object, and the sole object, of the amendment which I have offered to the bill.

If the framers of the Constitution were now engaged in that task, and the situation were as it is at present, with practically 6,000,000 people here who are not citizens, I do not believe those sitting in judgment upon the question would put into the Constitution a clause which could be construed as authorizing the counting of those aliens not alone for determining the representation in Congress but providing as well for the electoral vote by which a President of the United States is counted in or counted out of office.

This Government was brought into being for the people who owned the country. The preamble of our own Constitution begins with the words "We, the people of the United States," and then the document proceeds to frame a government for their own posterity. While we offer an asylum to some foreigners, while we give them the opportunity to be safeguarded by our laws in the protection of life, property, and the pursuit of happiness as long as they are resident among us, nevertheless, the whole genius of American institutions is to provide a government for the benefit of those who have made America their own.

Six million people are now in the United States who are not citizens of the American Government. Those aliens, congregating in congressional districts in many parts of the country and becoming there concentrated, have influence not only upon representation in Congress, with all that that means to our people, but also have an influence upon the election of the President of the United States. When the Constitution was adopted there were no aliens here. As I conceive it, on the day the Constitution was adopted everyone then within our borders became a citizen of the State and of the United States. The question of citizenship was not pertinent at that time, but to-day it is doubly pertinent, and it is doubly pertinent by reason of the fact that we have not had a change in the representation in Congress for a period of practically 20 years, during which time following the great World War and in earlier years, immigrants came to the country in greater numbers than ever before. Figures that may be used in this discussion, based on the census made in 1920, are to-day 10 years old. Changes have taken place, but if we shall follow the census of the United States of 1920, those figures do give us a line for deduction from

which we may judge rather closely as to the actual conditions existing in the United States to-day. As I understand, it is estimated in connection with the pending apportionment bill that as a result of adopting the figures of the next census there will be a change of some 23 seats in the lower branch of Congress. It is impossible to say—and I have not been able to work out the problem—what proportion of the change in those 23 seats may be due to the inclusion of aliens. I do not believe that any Senator from present knowledge, making his deductions from the census of 1920, can state whether the inclusion of the alien population will reduce the representation of his State in Congress or increase it. He may be able to make some kind of a deduction, but he can not do so with any degree of certainty.

As every Member of the Senate knows, during the past 20 years there has been a very decided drift from the country to the city, and to me one of the most interesting things shown by the census figures is the concentration of the alien population. In my opinion, the only way by which we can arrive at the facts from the census is to take the number of foreign whites in this country and deduct from that number those who are known to have become naturalized American citizens. There were 13,750,000 foreign-born whites in 1920. In using these figures I do not want to be understood to be accurate down to the thousands, but in general there will not be a variance of more than a small percentage in the calculations of those who may work out the conclusions from the census returns. Out of those 13,750,000 foreign-born whites I find that we can safely say that about 6,000,000 aliens have not become citizens, or a little less than 50 per cent out of the 13,750,000.

Of those 13,750,000 foreign-born whites, 10,500,000 are concentrated in urban populations, leaving about 3,250,000 distributed in what we call rural populations. Taking the 50 per cent average of citizenship, which runs practically through the census figures, we find that 5,000,000 aliens are concentrated in the cities and about 1,500,000 or less in the rural districts. Add to that the drift of population from the farm to the city by reason of the increased production per man upon the farm, requiring less labor upon the farm, and we find that there is being drawn from the country districts their representation in Congress and it is being piled up in the urban districts and in the cities of this land.

One of the things which has caused a great deal of trouble of late has been the drift from the rural districts to the cities. We can in a large measure, by adopting this kind of an amendment, prevent this concentration of political power derived through representation in Congress and through the election of the President, by confining the representation to those who are citizens of the United States.

As I said a while ago, I do not believe that this body if it were adopting the Constitution to-day, in view of the large number of aliens now resident in the United States would for a moment, in its patriotic thought give to that body of aliens representation in the Congress or give to them the right to be represented in the Electoral College when it comes to elect a President. I think under those circumstances every Member of the Senate would say to himself, as the founders of this Government said, "We, the people of the United States, are adopting this Constitution."

It is not inconceivable that the States having been divided into districts, and our alien population having concentrated in many of the large cities, for the purpose of securing employment, that one of our congressional districts—let us say it for the sake of the argument—might have a population that was at least half alien. Under those circumstances with a population in the district which is half alien, who can not vote, when that district is electing a Representative in Congress it means giving twice the power in the Congress of the United States to the legal voters in that district compared to that given to a rural population such as I in part represent that has no aliens worth mentioning within its borders. There is given to those aliens in that district every right that is given to the American citizen except the right to vote; and by reason of allowing them representation in the Electoral College, when they do not have the right to vote, the power of the citizens who are in that district is increased and the aliens thus are given in effect such a part of a vote as the number of aliens are proportioned to the total population in that district. That is not American; it is not what was intended by the founders of this Government. I wanted to make that statement in order to make clear if I can the principle behind this amendment.

As I said earlier in reply to an inquiry, I do not want to go into this discussion as a constitutional lawyer of the question whether we have the right to exclude aliens from the census count. I was educated as a lawyer and I practiced law for a few years, but I have been out of the practice for many years, and I can not presume to have followed the decisions of the courts on this question. There have been prepared, however, and published in the RECORD two articles on the subject of the exclusion of aliens which are well worth the consideration of the constitutional lawyers of the Senate. One is by Mr. HENRY ST. GEORGE TUCKER, of Virginia, who has been the president of the American Bar Association. It is a learned article, and treats the constitutional question fairly. Some may not agree with it, but it is the legal argument of an able lawyer.

The other article is by a noted lawyer of Kansas, Mr. AYRES. He has treated the same question; and they both come to the conclusion that the exclusion of aliens under our Constitution at this time is legal and constitutional.

I desire to speak, therefore, purely as a layman with perhaps a legal turn of mind, and call the attention of the Senate to a few questions in connection with this reapportionment bill as it applies to the Constitution of the United States.

Mr. KING. Mr. President, before the Senator leaves the point he was discussing, would it interrupt him if I should ask him a question?

Mr. SACKETT. No.

Mr. KING. As I understood the able Senator, his position was that in drafting the Constitution of the United States—and, of course, he includes in that, I presume, the provision included in the fourteenth amendment dealing with aliens—it was not contemplated by the fathers of the Republic, nor by those who drafted the fourteenth amendment, that aliens were to be counted or considered in the question of apportionment.

Mr. SACKETT. Yes.

Mr. KING. I will ask the Senator if it was not fully considered both in the Constitutional Convention and at the time when the fourteenth amendment was drafted; and one other question which is germane to that: Did not the fathers contemplate the fact, particularly as exhibited in the great ordinance of 1787, that there would be large areas of virgin land to be populated by thousands and millions who would come from across the seas, and did they not anticipate a large influx of immigrants; and during the Civil War and following the Civil War were not the conditions such as to indicate that there would be a large influx of immigrants from beyond the seas who would seek homes in the United States? So that both in the Constitutional Convention and when the fourteenth amendment was drafted, did not our fathers and those who were in the Legislature contemplate the fact that there would be a large influx of immigrants, and that they should be counted in the question of census and of apportionment?

Mr. SACKETT. I think, if the Senator pleases, that when the Constitution was adopted, and also again when the fourteenth amendment was adopted, we were anticipating a large influx of foreigners, and we provided in our naturalization laws the means by which they should become Americans if they so desired. I think they felt at that time that if they were to come the door was open to them; and, as shown in the arguments of these lawyers, there is no express direction in the Constitution which will prohibit the acceptance of the interpretation of those instruments, the Constitution and the amendment, to which I now call the attention of the Senate and for which I now contend.

Mr. BARKLEY. Mr. President, will my colleague yield for a suggestion?

Mr. SACKETT. I yield.

Mr. BARKLEY. The framers of the fourteenth amendment were dealing with a situation produced by reason of the abolition of slavery.

Mr. SACKETT. Yes.

Mr. BARKLEY. They were not seeking to extend that method of dealing with the subject.

Mr. SACKETT. If I have time, I will come to that. It is a little difficult for me, not being very expert on my feet, to follow a continuous thread with these interruptions, because they disturb the logical sequence of my argument, which I should like very much to put across to the Senate if possible.

The Constitution of the United States says in the beginning that all "persons" shall be counted. The fourteenth amendment, which has been brought up, continues the same language. There were no aliens in the country when the original Constitution was adopted; and it is impossible to find out from the census how many aliens there were actually in this country when the fourteenth amendment was adopted.

Mr. WALSH of Montana. Mr. President, will the Senator suffer an interruption there?

Mr. SACKETT. Certainly.

Mr. WALSH of Montana. Upon what authority does the Senator make the statement, now repeated, that at the time of

the adoption of the Constitution there were no aliens in the country?

Mr. SACKETT. I make it purely on the idea that at the time the Constitution was adopted the citizenship was settled in the various States, and those who were citizens were taken in; and practically all, as I understand, were citizens at that time.

Mr. WALSH of Montana. That seems rather strange, because the Government was scarcely established when the Congress passed a very liberal naturalization act, that of 1790.

Mr. SACKETT. Yes; and there is no question but that they expected an influx of foreigners.

Mr. WALSH of Montana. But what challenges my attention is the statement, twice made by the Senator, that there were no aliens in this country at that time.

Mr. SACKETT. I make it on the ground that when the Constitution was adopted, that by itself made the people who were here citizens of the United States.

Mr. WALSH of Montana. That was not the view taken at that time by any means. The Congress of the Confederation in 1785 passed an act authorizing the naturalization of aliens; and under the operation of that act two eminent statesmen of that time—Alexander Hamilton and Albert Gallatin—became citizens of the United States, both having been born abroad.

Mr. SACKETT. That was before the Constitution was adopted.

Mr. WALSH of Montana. Before the Constitution; so that before the Constitution was adopted, the Congress realizing that persons of foreign birth had contributed in a most substantial way, Alexander Hamilton among them, to the attainment of independence, they very promptly passed an act by which those foreign-born residents of the country might become citizens of the United States; and under the mandate of the Constitution, the Congress having power to pass a uniform law on the subject of naturalization, the Congress promptly went to work and passed a liberal act under which aliens who had resided in this country but two years might become citizens of the United States.

Mr. SACKETT. I think the proof of the matter, if the Senator please, would lie in the fact, whether we could cite instances where, immediately after the Constitution was adopted, people did apply for citizenship. That I have not been able to find. It may be so, and it may not. I do not know. I am not sufficiently versed in those matters to be able to answer it. I know that they did apply before the Constitution; I know that they did apply after the passage of the first naturalization act; but I do not know that they applied in between, or that people who were resident in this country before the Constitution applied after the passage of that act.

At any rate, I want to say this with regard to the fourteenth amendment: We do not know how many aliens were resident in the country at the time that amendment was adopted. We do know that it was aimed at a very specific matter, slavery, in which this question of alien count in reapportionment was not preeminent in any way, and the question was not raised.

I take it that the Congress and the people, when they adopted that amendment to the Constitution, did not have that point in mind, and that the language of that amendment copied the language of the Constitution as it was originally adopted; and it has no significance whatsoever on the matter of alien count in reapportionment. In order to enforce that view, I desire to call attention to a provision in this bill that is copied directly from the Constitution of the United States, and is copied from the fourteenth amendment, and now has no application whatsoever, and that is the language which says "excluding Indians not taxed." We have not any Indians not taxed in this country to-day, and yet the authors of this bill include simply by repetition a thing which has no standing in the community at this moment; and that is my answer, in large part, to the question in regard to the repetition in the fourteenth amendment in 1868 of the same words that were carried on from the original Constitution of this country as it was adopted.

I have on my desk an opinion of the counsel of the Director of the Census calling attention to the fact that in June, 1924, citizenship was conferred upon all Indians, and that no longer is it necessary to consider, under the Constitution, the question of exclusion of Indians not taxed. That simply goes to enforce the idea I am trying to convey, that in drafting many of these provisions things are carried over from one generation to the next when the view of the people is not concentrated upon the identical meaning which is sought to be conveyed.

There is now no need of putting that exclusion in this bill. It can just as well be stricken out in the present version—the exclusion of Indians not taxed—for all Indians are taxed except those who have come into the country as any foreigner comes in, perhaps from Mexico, because the meaning is that an Indian who is subject to tax is counted in the representation whether he actually pays the tax or not. If he has the property to be taxed, he will be taxed; and for that reason the exclusion of Indians not taxed is no longer a proper matter to be considered in a reapportionment bill, even though that language is used in the Constitution and in the fourteenth amendment.

The VICE PRESIDENT. The Senator's time on the amendment has expired. He has a half hour on the bill.

Mr. BRATTON. Mr. President, will the Senator suffer an interruption?

Mr. SACKETT. If it does not lead to a speech, I shall be glad to do so.

Mr. BRATTON. Do I understand that the Senator takes the position that a tribe of Indians owning property that is in an Indian reservation is subject to taxation in the general sense that a State may levy a tax against an ordinary non-Indian citizen?

Mr. SACKETT. I should like to read part of the opinion of the solicitor on that point. This is the memorandum that comes to me from the Director of the Census:

> Since the solicitor rendered the opinion referred to, citizenship has been conferred upon all noncitizen Indians born in the United States by the act of June 2, 1924, which provided:
>
> "That all noncitizen Indians born within the territorial limits of the United States be, and they hereby are, declared to be citizens of the United States: *Provided*, That the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property."
>
> The bureau assumes that as a result of this legislation there is at the present time only a very negligible number of Indians in the United States who are not citizens. Consequently, if the principles set forth in the solicitor's opinion are followed—that is, that Indians who are citizens, although they may or may not own or be eligible to own land or other property which is exempt from taxation by the Federal laws relating to Indians, should be excluded from the classification of Indians not taxed within the meaning of the Constitution—the remaining number of Indians who may possibly be so classified will be too small to affect the apportionment of congressional representation.

Then he goes on with certain recommendations as to the taking of the census.

Mr. BRATTON. If I understand the Senator correctly, he draws a distinction between Indians subject to taxation within the purview of the fourteenth amendment as to taking them into consideration for the purpose of representation, and Indians being subject to taxation under the law of the States in which they happen to exist physically, although they reside upon an Indian reservation and are subject to tribal regulations.

Mr. SACKETT. Yes. I wanted to make that point in order to indicate that the fourteenth amendment, enforcing the language of the Constitution as originally written, was a matter of repetition without concentrating the viewpoint of the country upon the question of whether the word "persons" as it is there used should be made to include aliens, or should be made to exclude aliens. That was not in the purview of the people when that amendment was adopted.

It only goes to show that these things can be copied and can be put into a bill of this kind, or into the Constitution, when concentration is not made upon the point by the inclusion in this bill of something which the counsel for the Director of the Census says is no longer pertinent because we have made these Indians citizens.

In the course of the history of representation, and the count of people for representation, I come back to the view, which has been put forward, that there is no authority in the Constitution for the exclusion of aliens. In the course of that history we have on occasion done much more violence to that clause of the Constitution than may be done by the exclusion of aliens. There can not be found in the Constitution any provision giving power to divide States into districts, and to bring about congressional representation by districts, yet it was done, and it was done a great many years ago, and we count our people in districts, and we make provision for a representative for each district. Yet it is only provided in the instrument that we shall apportion counting all persons within the State.

Not only that but it has been said on the floor of the Senate in the past by many men who were known as constitutional lawyers at a time when they gave much more attention to the questions that come before the Senate, because there were fewer of them—it was said on the floor of the Senate that that change was a violent change in the Constitution, that there was no express power given by the States to do it, and that therefore it was unconstitutional. How much greater violence was done to the same Constitution when it was required that any man who represented a district must be a resident of that district. No

such requirement can be found in the Constitution or in the fourteenth amendment. That was a greater violence, and the predictions were more vehement than those of to-day that the operation of that provision would render the whole reapportionment unconstitutional. Yet we have had it, and we have had it for many years.

My answer to the claim of unconstitutionality is based somewhat upon the opinions of these two leading lawyers whose opinions are in the RECORD, and also upon this theory, that this is a political question, and that the Constitution gives to the Congress the right to decide political questions. There will be found in one of those opinions the remarks of Chief Justice Marshall on that subject; and it is well worth consideration, that having given to the Congress the jurisdiction over political questions, it does not lie in the Supreme Court of the United States to declare congressional action on such questions unconstitutional.

I am sure the lawyers here have read cases in the highest tribunals where the word "black" was interpreted to mean "white," and there can not be any greater variance in the construction of any word in the whole vocabulary of the English language than when "black" is construed "white." How easy, then, is it to say that the word "persons" refers to people who are citizens of the United States, taken in conjunction with the whole spirit of the Constitution of the United States, which brings forward in almost every part the fact that this is a government of our own people? It is not nearly as great violence to that meaning. It is a political question. It is a thing that is within the control of the Congress, and if we adopt this provision excluding aliens we not only comport with the implied meaning of the Constitution of the United States but we do not go against any express power, because the word "persons," as Mr. TUCKER has shown, is used some eighteen or twenty times in the Constitution, and means a different thing in almost every connection in which it is used.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Montana?

Mr. SACKETT. I yield.

Mr. WALSH of Montana. Does the Senator from Kentucky accept the view that the word "persons" in the clause of the Constitution of importance here means citizens?

Mr. SACKETT. I accept the view, if the Senator please, that if the Congress of the United States desires to say that the word "persons" means citizens, the Congress has a right to give it that interpretation, and the Supreme Court of the United States will not set it aside as unconstitutional, because it would declare it a political question.

Mr. WALSH of Montana. I did not intend to take any issue with the Senator in respect to the power of review in the courts; that is aside from the question. But if the Senator takes the view that the word "persons" in the important provision here means citizens, and that the word "citizens" may be substituted for "persons," then the Congress has violated the Constitution ever since the Government was established, because it has included aliens in the basis of representation.

Mr. SACKETT. I grant the Senator that that is the case, and it may be true that the Congress has violated the Constitution, and violated it unwittingly, because the question has not been brought directly before the Congress before. I take it that it is no argument to say that because it may have been violated before we should continue to violate it, if, in the judgment of the Congress of the United States, it is a wrong interpretation and does not comport with the spirit of our institutions.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. SACKETT. I yield.

Mr. BORAH. My sympathies are with the principle which the Senator is advocating, but he says there has been no construction of this word in these provisions of the Constitution. I find it has been construed from the beginning of the Government.

Mr. SACKETT. That may be. I am not arguing the law of the case, other than to give the facts as I am able to dig them out.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. SACKETT. I yield.

Mr. BARKLEY. Does the Senator from Idaho contend that this particular language in this clause of this article and section of the Constitution has been interpreted?

Mr. SACKETT. I think we will let the Senator answer that in his own time. The word "persons" has been construed numerous times.

Mr. BARKLEY. The word "person" is used all through the Constitution.

Mr. SACKETT. And is construed differently as used in different sections.

Mr. BARKLEY. I do not understand that the word "persons," as used in this particular section, has been interpreted by the courts.

Mr. SACKETT. I have stated the layman's point of view, Senators, and those who come from rural States have an obligation to their people which they ought to be willing to fulfill under these conditions. Why should we put power into the hands of concentrated minorities of aliens, gathered together in the cities of this country, who have no stake in this Government? Why should we have them counted in order to know who is going to be sent to Congress, and how many are to be sent? Why should we change the power of the Congress from the rural communities, which need it most, to those parts of the country which are populated by a foreign, alien horde? Why do we not save this country for American citizens? We do not exclude a single one of these people who has come to our shores. Every one of them has the right to become a citizen of the United States. Propaganda is being carried on throughout this land in an effort to induce those people to become citizens, and if this interpretation is put upon the reapportionment bill, and it becomes necessary for them to become citizens in order for those people to be counted in fixing the representation, there will be a force and a power put behind the people bringing about Americanization; a political power which is not there to-day, the machinery of the great parties which want to have as much representation in the Congress as they can get, to urge upon these people, and insist upon it, that they declare themselves as to whether they are Americans or whether they are foreigners.

I do not believe that there will be any such reaction from this amendment that it will be declared unconstitutional in any court, because it is a political question and not a constitutional question. There is enough authority shown in the opinions I have cited, written by legal minds, and which are printed in the RECORD, to warrant Senators in taking every chance in preserving this country for the American people.

If Senators vote for this amendment affecting representation and the election of a President, which may become pertinent at any time, as it did in the Hayes-Tilden fight, when 5,000,000 aliens counted in the Electoral College might change the result from one party to the other—when that step has been taken; and when Congress has said to this country that we are going to have representation only for American citizens, there will not be any power in the land, it being a political question, which can upset the judgment of Congress.

I appeal to those from the rural communities, I appeal to those States which, like my own, have never had a great influx of foreigners, to preserve America for American citizens, in the only forum there is, a forum where every State is equally represented, where its vote counts as much as that of any other State, whether it has foreigners within its borders or whether it does not. I appeal to the Members of the Senate from those States to vote for this amendment, constitutional in fact and constitutional in law, and preserve this country for the people who made it great.

Mr. BRATTON. Mr. President, my sympathies are entirely with the views expressed by the Senator from Kentucky [Mr. SACKETT]. I should like very much to exclude aliens as contemplated by the pending amendment. I am dissuaded from supporting such amendment only by what I believe to be the plain mandate of the Constitution.

I dare say there is no Member of this body who feels otherwise than a desire to eliminate aliens from consideration in determining the basis of apportionment in the House of Representatives.

The Senator from Kentucky has advanced the argument that even though we may believe that aliens should be included, if we pursue a contrary course there is no way through which our action can be reviewed, because it is a political question and not a judicial one. Mr. President, that is no reason to do violence to the Constitution. The mere fact that we believe we can devise a way to depart from the Constitution and not have our action overturned is not or should not be an inducement to take the step.

The Senator from Kentucky has referred to two arguments made in the Chamber at the other end of the Capitol in support of the proposition that the word "persons" as used in the fourteenth amendment to the Constitution means "citizens" and does not include noncitizens or aliens. I have read each of those arguments with a great deal of interest, but after mature reflection I am unable to bring my views into accord with those expressed by the distinguished Members of the other body of the Congress, for each of whom I entertain the most profound respect. It is true that the word "persons" appears in the Constitution many different times and perhaps requires different interpretations, thus meaning that in determining our views

upon this provision we should consider the interpretation to be given to it as it is in the fourteenth amendment separated and apart from other provisions of the document. It is my opinion that the word "persons" as used in this particular amendment is defined in the first sentence of the amendment. It is in this language:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

The word "persons" is clearly defined; it is clearly limited by the language following it. It means those "born or naturalized in the United States and subject to the jurisdiction thereof. They are citizens of the United States and of the State wherein they reside."

"Persons" within the United States who were not born here or naturalized here or subject to the jurisdiction of the United States are "persons" but not "citizens" of the United States. Clearly the word "persons" is defined in the very first sentence of the section by limiting its inclusion in those individuals who were born here or naturalized here.

That view, in my opinion, needs no corroboration or substantiation; but the subsequent language in the section carries forward the thought that there is a distinction, indeed a well-defined distinction, between the two words "persons" and "citizens." After having defined the word "persons"—that is to say, after having limited it to include only those who were born or naturalized here, and in one or the other of those two ways subjected themselves to the jurisdiction of the United States to the exclusion of all other powers—the constitutional provision continues:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

There the Constitution is dealing with the guaranties and the protection accorded to citizens of the United States as previously defined in the section. As to citizens, the provision accords a certain degree of protection and guaranty, namely, that no State shall make or enforce any law which shall abridge the privileges or immunities to which they are entitled.

A different standard is set up by the provision with reference to others, namely, those who are not citizens of the United States—aliens. After having "accorded to citizens of the United States" the protection against any State passing any law which shall abridge their privileges or immunities, the constitutional provision continues:

Nor shall any State deprive any person of life, liberty, or property without due process of law.

Thus giving to "citizens" a different endowment under the Constitution to that bestowed upon other persons. As to "citizens," no State shall enact a law abridging their privileges or immunities. As to "persons," including the noncitizens or aliens, no State shall deprive them of life, liberty, or property without due process of law.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from New Mexico yield to the Senator from Kentucky?

Mr. BRATTON. I yield.

Mr. BARKLEY. Under the interpretation of the Senator, the provision guaranteeing all persons from being deprived of life, liberty, and property without due process of law is not to be construed as being identical with the rights which the Senator attributes to all persons who are not to be denied the privileges and immunities enjoyed by citizens. Is that correct?

Mr. BRATTON. I do not know that I clearly understand the thought the Senator from Kentucky has in mind.

Mr. BARKLEY. One of the privileges of the citizen is the right to vote, of which he can not be deprived. The Senator does not contend that the provision of the Constitution denying the United States the authority to deprive persons of the privileges and immunities which citizens enjoy should be interpreted to entitle those persons to participation in the Government of the United States or any State to the extent enjoyed by citizens, does he?

Mr. BRATTON. No. That supports the thought I had in mind, that the Constitution itself draws a distinction between "citizens" and "persons" in that the term "persons" includes both citizens and noncitizens and sets up a higher standard of guaranty to citizens than that accorded to noncitizens.

Mr. BARKLEY. But that guaranty can not be interpreted, can it, to extend to any privilege of participation in the Government of the United States or of any State by those not citizens?

Mr. BRATTON. No.

Mr. BARKLEY. If it can not carry that privilege directly, how can it be said legally and constitutionally to carry it indirectly?

Mr. BRATTON. If the Senator from Kentucky will be patient with me, I shall be glad in the due course of my discussion to afford him my views, for whatever they may be worth.

Mr. BARKLEY. It does not require patience on the part of the Senator from Kentucky to listen to the Senator from New Mexico.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Montana?

Mr. BRATTON. I yield.

Mr. WALSH of Montana. Referring to the question addressed to the Senator from New Mexico by the Senator from Kentucky, the clause relating to "persons" other than "citizens" simply prohibits the depriving of life, liberty, or property, and the right to vote, of course, is not included in any one of those.

Mr. BARKLEY. Of course, I realize that; but the other clause, denying a State the power to deprive any person of those privileges and immunities——

Mr. WALSH of Montana. No; only citizens. The other clause relates only to depriving citizens of immunities and privileges. The clause provides, in the first place, that no State shall deprive any citizen of the United States of any privileges or immunities accorded to citizens of the United States, and the next clause provides that no State shall deprive any person of life, liberty, or property without due process of law.

Mr. BARKLEY. Of course, that is a humane provision which prevents any State from taking advantage of any human being who might be within its borders, but that can not be interpreted as having reference to the right to vote.

Mr. WALSH of Montana. Of course, the right to vote does not fall within the definition of "life, liberty, or property."

Mr. BARKLEY. Of course.

Mr. BRATTON. Mr. President, inasmuch as I am speaking under a limitation of time I shall ask to be permitted to proceed.

The PRESIDING OFFICER. The Senator from New Mexico declines further to yield.

Mr. BRATTON. When the Senator from Kentucky interrupted me I was discussing the constitutional provision which sets up a different and a higher standard as to citizens and grants to them added privileges, enjoyment, and endowments than those granted to noncitizens. The illustration suggested by the Senator from Kentucky emphasizes it. A person who is not a citizen of the country is merely protected as to his life, liberty, or property, and is given the assurance that he shall not suffer interference as to either of those things without due process of law. A political right is not one involving life, liberty, or property. Consequently that emphasizes and supports the contention which I had in mind, that the language of the fourteenth amendment itself clearly demonstrates that those who proposed the amendment and those who ratified it had in mind a distinction between the two words.

Continuing, after it is said in the Constitution that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States nor shall any State deprive any person of life, liberty, or property without due process of law," it is provided—

Nor deny to any person within its jurisdiction the equal protection of the laws.

The provision itself at its very outset defines the word "citizens" by saying that it includes those persons who were born or naturalized in the United States and subject to the jurisdiction thereof. Those persons are citizens. A person who is born here is subject to the laws of the State. A foreigner who comes here and becomes naturalized in the prescribed manner thereby subjects himself to the jurisdiction of the Nation. Others are not citizens within the purview of the first section of the fourteenth amendment.

Let us turn now to the second section, the one which is directly in question. The whole amendment however must be considered together because of the well-recognized rule of construction applicable to constitutional or statutory provisions that the whole provision or the whole act and every part thereof must be taken into consideration in determining the intent, purpose, and the object of the law-making body. So that under the indisputable rule of construction the first section of the amendment must be taken into consideration in interpreting the second section of it. I quote:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

Mr. GEORGE. Mr. President, will the Senator let me ask him a question at that point?

Mr. BRATTON. Certainly.

Mr. GEORGE. I want to preface it with this statement. I have not entirely reached my own conclusion about the question that is presented now to the Senate. I can very well understand, of course, that the word "citizens" is defined in the first section of the fourteenth amendment and also that there is a distinction between "citizens" and "persons." I can very well understand and appreciate why "persons" were included in the guaranty of the "due process of law."

What I want to ask the Senator—because it will be very helpful to me to have an answer—is just why and upon what reasoning the framers of the fourteenth amendment desired to include aliens in the word "persons" when providing for apportionment? What was the reason for that?

Mr. BRATTON. Perhaps, Mr. President, it was upon the theory that aliens were subject to taxation in this country and consequently were entitled to representation as a corresponding right accompanying that obligation. A foreigner has always been subject to taxation upon his property; he must pay an ad valorem tax; he must pay an income tax; he must pay every ordinary species of property tax the same as a citizen of this country. I dare say that it was felt by the framers of the fourteenth amendment that, although a foreigner could not vote, could not voice his sentiments in elections, nevertheless, so long as he was compelled to pay tribute to the Government through taxation, he was entitled to be represented. That may be buttressed by the express exemption of Indians not taxed. They pay no tax and therefore should not be taken into account in fixing the basis of representation.

Mr. REED. Mr. President, will the Senator permit an interruption?

Mr. BRATTON. I yield.

Mr. REED. In the memorandum put into the RECORD Thursday night by the Senator from Michigan [Mr. VANDENBERG] it is shown that at the time of the adoption of the fourteenth amendment propositions were made to substitute the word "citizens" for the word "persons" and to substitute the word "voters" for the word "persons," and that in both cases those propositions were resisted because of the statement that it would change the basis of taxation and would deny consideration to about 2,000,000 aliens then living in the United States. So the selection of that word seems to have been a deliberate choice made at that time.

Mr. BRATTON. I thank the Senator from Pennsylvania for that suggestion.

Mr. JOHNSON. Mr. President, may I supplement what the Senator from Pennsylvania has said by a reference, unless it has already been observed by the Senator from Georgia, to the Congressional Globe of the Thirty-ninth Congress, first session, where the question is discussed and the reasons, as stated by the Senator from Pennsylvania, given for the particular language used?

Mr. BRATTON. I yield to the Senator from California for that purpose.

Mr. JOHNSON. I quote from the Congressional Globe as follows:

> The joint committee on reconstruction adopted a resolution expressly proposing apportionment according to the number of citizens in each State and then substituted a provision apportioning direct taxes and Representatives on the basis of the number of persons in each State, excluding Indians not taxed.

Mr. Conkling, when the question was before the House, distinctly made the point that "persons" included aliens, and Mr. Wilson, in the Senate, distinctly made the point that they should be included in the enumeration, for without their inclusion 2,000,000 people would be eliminated in the enumeration.

Mr. BRATTON. Mr. President, I thank the Senator from Pennsylvania [Mr. REED] and likewise the Senator from California [Mr. JOHNSON] for their respective observations. I have not had the time to read the memorandum inserted in the RECORD on Thursday afternoon by the Senator from Michigan [Mr. VANDENBERG], but the facts stated both by the Senator from Pennsylvania and the Senator from California accord with my recollection about the matter, namely, that the two words were discussed and the substitution of the word "citizens" for the word "persons" was successfully resisted, thus clearly showing that the lawmaking body itself appreciated the distinction between the two, in that the word "persons" was larger and more inclusive than the word "citizens" in that it included both citizens and noncitizens who might be in the country.

That fact, coupled with the fact that all previous Congresses dealing with the subject of apportionment have regarded the word "persons" as including both citizens and aliens, with the additional fact that the language upon its face appears to be clear and plain, denoting a difference between the meaning of the two words. All three factors taken into account in forming the equation, it seems to me to lead to the conclusion that the word "persons" includes aliens and that the Congress would do violence to the Constitution if it departed from that construction.

Mr. President, at the time of the valuable interruption by the Senator from Georgia, the Senator from Pennsylvania, and the Senator from California I was addressing myself to section 2 of the fourteenth amendment, reading in this language:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

The exclusion written into the second section of the amendment lends added force to the view that the lawmaking body understood that the word "persons" included those who were not citizens, because Indians not taxed were not citizens; and, consequently, if the word "persons" only embraced citizens, it did not include Indians, and there was no occasion for writing an exclusion in the act. Furthermore, if the word "persons" only embraced citizens, the exclusion was merely tautology, a construction which is not indulged in dealing in constitutional or statutory provisions.

Why did the lawmaking tribunal exclude Indians not taxed if it was understood that the word "persons" as there used embraced only citizens and excluded noncitizens? An Indian was not a citizen at that time. We are all agreed that Indians were not citizens when the amendment was adopted. I believe it was submitted in 1866 and ratified in 1868. That is my memory of the dates.

The Supreme Court of the United States in the case of Elk *v.* Wilkins (112 U. S. 94), in discussing the status of Indians, said:

> Indians born within the territorial limits of the United States, members of, and owing immediate allegiance to, one of the Indian tribes (an alien, though dependent power), although in a geographical sense born in the United States, are no more "born in the United States and subject to the jurisdiction thereof," within the meaning of the first section of the fourteenth amendment, than the children of subjects of any foreign government born within the domain of that government, or the children born within the United States of ambassadors or other public ministers of foreign nations.

In other words, the court placed Indians upon the same basis as aliens, foreigners, those who owe allegiance to another government. Yet the framers of the Constitution saw fit to exclude that type of aliens from the second section of the amendment, clearly and conclusively indicating that they understood that Indians were included in the general phraseology, and consequently it was necessary to exclude them by an express provision. Dealing with a class of aliens and excluding them by express language flies in the face of the view that it was understood or contemplated that all aliens were excluded from the purview of the fourteenth amendment.

Mr. SIMMONS. Mr. President, from what was the Senator reading?

Mr. BRATTON. I was reading from a decision of the Supreme Court of the United States rendered in the case of Elk *v.* Wilkins (112 U. S. 94). The court continued:

> This view is confirmed by the second section of the fourteenth amendment, which provides that "Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed." Slavery having been abolished, and the persons formerly held as slaves made citizens, this clause fixing the apportionment of Representatives has abrogated so much of the corresponding clause of the original Constitution as counted only three-fifths of such persons. But Indians not taxed are still excluded from the count for the reason that they are not citizens.

They are excluded from the count for the reason that they are not citizens, in what way? By an expressed exclusion, indicating that the constitutional body desired to exclude one type of aliens. That is wholly at variance, wholly at war, squarely in the face of any idea that they understood that all aliens were already excluded. It would have been superfluous, it would have been tautology to exclude one type of persons already excluded.

We are all familiar with the rule of construction that when the legislative or lawmaking body has before it a general term and the subject of exceptions as applied to that term and it excepts one class from the operation of the general terms, it does not desire to except or exclude any other class. That is a

rule which is well recognized. It is stated tersely in a ruling case law, from which I read in this language:

It is well settled that an exception in a statute amounts to an affirmation of the application of its provisions to all other cases not excepted and excludes all other exceptions.

In other words, when one class of noncitizens was expressly excepted in the provision——

The VICE PRESIDENT. The time of the Senator from New Mexico has expired on the amendment. He has 30 minutes on the bill.

Mr. BRATTON. I thank the Vice President. In other words, when the lawmaking body expressly excepted one class of noncitizens from the operation of the constitutional provision dealing with the basis of apportionment it amounted to an affirmation that all other classes of aliens should be included. That rule of construction has been adopted by virtually every court in the land from the Supreme Court of the United States down.

So, Mr. President, when we consider the fourteenth amendment from its four corners, beginning with the definition of the word "citizens," contained in the first sentence, and concluding with the last relevant sentence, which excludes one type of noncitizen from the word "persons," amounting to an affirmation that all other types of noncitizens shall be included, it seems to me there is little room for argument that the word "persons" is synonymous with the word "citizens," and that the two words may be used interchangeably without difference or distinction. Likewise, I think we should be persuaded by the unbroken interpretation accorded it by previous Congresses. As I understand, all previous Congresses, in approaching the subject of apportionment, have construed the amendment to include noncitizens or aliens. We are asked now to adopt a contrary interpretation. We are asked to overturn the construction heretofore adopted; and although my sentiments run strongly in that direction, although my emphatic preference is to exclude aliens, although I desire that very much, I am persuaded that the Constitution forbids that we take that course. Like every other Member of this body, I shall follow what I believe to be our constitutional duty and obligation.

Mr. President, I shall not take the time of the Senate longer. The views I have expressed are based upon a cursory examination of the language employed, measured by well-recognized rules of interpretation. While I recognize the rule that words will be expanded or contracted that they will be given a liberal or a rigid interpretation, in order that they may comport with the general context of the provision in which they are found, I think that rule leads to the conclusion that the only interpretation of the word "persons" and the word "citizens," as those two words are found in this context of this provision is that the word "persons" is all inclusive and means both citizens and noncitizens. If that be correct, we have not the constitutional power to disregard aliens in fixing the basis of representation in the other body of the Congress.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. BRATTON. I yield to the Senator from North Dakota.

Mr. FRAZIER. I was not in the Chamber all the time the Senator was speaking; but I should like to have the Senator's opinion as to whether or not the provision in the Constitution providing for not counting Indians not taxed is applicable at the present time, after the legislation of a few years ago making all Indians citizens?

Mr. BRATTON. Yes; I think it is applicable to this extent: It is applicable as determining what the framers of the Constitution had in mind when they used the words "persons" and "citizens."

Mr. FRAZIER. I mean, in regard to Indians at the present time.

Mr. BRATTON. They were dealing with conditions as they then existed. Indians were not then citizens. They were not taxpayers unless they severed their tribal relations and went out into civil life, a voluntary act. In construing the language "Indians not taxed," as we now find it in this provision, we must bear uppermost in mind what the framers of the Constitution had in mind at the time they employed the two words "persons" and "citizens." In other words, in defining a word, a term, or a phrase found in a Constitution or a statute, the controlling rule is to arrive at the meaning of the law-making body at the time the law was enacted. So, in doing this, we must put ourselves in the position of the law-makers at the time the amendment was submitted, and take their view of the situation, that is what they had in mind, and what they meant. Of course, they had in mind the status of Indians as they then existed.

Mr. FRAZIER. But the status of the Indians has changed under this provision giving them citizenship.

Mr. BRATTON. Yes; but, Mr. President, the controlling rule of construction is not what we think the use of the word should be now. It is what the framers thought, and how they used it at the time they employed it in 1866 and at the time the amendment was ratified in 1868. That should govern us in construing the Constitution—what was meant at the time, and how the terms were employed; that is contemporaneous conditions as bearing upon what was meant by the use of the two words. Perhaps if we were now submitting a constitutional amendment, having in mind the fact that the Indians were granted citizenship a few years ago, we might employ different terms from those used in the amendment; but that does not change the proper meaning of the words as we now find them in the Constitution.

Mr. FRAZIER. One of the decisions the Senator read in regard to the Indians stated that they were not citizens.

Mr. BRATTON. Yes.

Mr. FRAZIER. But at the present time they are citizens.

Mr. BRATTON. Yes.

Mr. FRAZIER. And subject to taxation.

Mr. BRATTON. Yes; in a sense, but at that time they were not citizens; and yet the framers of the Constitution thought it was necessary to exclude them from the basis of representation, or they would not have written the exclusion in the Constitution. If the word "persons," as then used, meant only "citizens," there was no occasion in the world for excluding Indians, because they were not citizens and were excluded already by the general term "persons." On the contrary, if it was understood that the word "persons" was broad enough to include both citizens and Indians, and consequently it was necessary to exclude the Indians, it indubitably follows that the word "persons" included all other aliens, because they were not expressly excluded.. Do I make my meaning clear to the Senator?

Mr. FRAZIER. I think I get the Senator's explanation; but it seems to me, under the provision which made the Indians citizens, that they are subject to taxation, and many of them are taxed, of course, and they vote in most of the States. They are eligible to election to any State or National office; and it would seem mighty strange, under those conditions, not to include them in the count for apportionment.

Mr. BRATTON. Mr. President, of course, the Senator will agree with me that in construing this constitutional amendment we must adhere to the views entertained at the time the amendment was proposed and adopted; that is, we must endeavor to ascertain what was intended at that time. That is what was proposed and the people accepted, and we must carry it out; and in arriving at their intention we must keep in mind that the Indians were not citizens nor taxpayers, and that the framers of the Constitution understood that unless they excluded them they would be included; and so they excluded them by express language, which virtually said that "unless they are excluded we understand that they are included."

Mr. CONNALLY and Mr. DILL addressed the Chair.

The VICE PRESIDENT. Does the Senator from New Mexico yield; and if so, to whom?

Mr. BRATTON. I yield to the Senator from Texas.

Mr. CONNALLY. May I ask the Senator from New Mexico if an Indian had been born in one of the States of the United States under the Constitution, would he not have been a citizen but for this exclusion?

Mr. BRATTON. No. Indians at that time, by virtue of their peculiar status, owing allegiance to their tribes, occupied a peculiar position in our make-up of civilization. They were not citizens. They were wards of the Government. Consequently, we found it necessary to pass an act some three or four years ago according them citizenship. Prior to that time they were not citizens.

Mr. DILL and Mr. CARAWAY addressed the Chair.

The VICE PRESIDENT. Does the Senator from New Mexico yield; and to whom?

Mr. BRATTON. I yield to the Senator from Washington.

Mr. DILL. Are they to be counted now? That is the question that I thought the Senator from North Dakota was asking.

Mr. BRATTON. Undoubtedly they are to be counted now, unless they are exempt from taxation.

Mr. DILL. But they are citizens, and can not be taxed. Shall they be counted?

Mr. BRATTON. Yes; they are to be counted now, because they are citizens now.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Arkansas?

Mr. BRATTON. I do.

Mr. CARAWAY. Let me ask the Senator a question: What is the significance of the expression "not taxed"? Now, aliens may be taxed. Were they trying to exclude a man who was not entitled to vote because of that fact, or was it because of the peculiar relation of the Indians to this country, and the fact that under their treaty arrangements they could not be taxed? Was not that the reason why they excluded the Indian—not because he was not a citizen but because, under his form of government and under his treaties, he was not taxed and could not be taxed?

Mr. BRATTON. That is my view. He was excluded because he did not pay tribute to the Government in the form of taxation.

Mr. CARAWAY. Absolutely. That was the reason why they made the exception, because he was not taxed.

Mr. BRATTON. Whereas any other alien was subject to taxation, did pay taxes, and consequently was entitled to be taken into consideration in determining the basis of apportionment.

Mr. WALSH of Montana obtained the floor.

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. For what purpose?

Mr. FESS. In order that I may make a point of no quorum.

The VICE PRESIDENT. Does the Senator yield for that purpose?

Mr. WALSH of Montana. I do.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Johnson	Sheppard
Barkley	Fletcher	Jones	Shortridge
Bingham	Frazier	Kean	Simmons
Black	George	Kendrick	Smith
Blaine	Gillett	Keyes	Smoot
Blease	Glass	King	Stephens
Borah	Glenn	La Follette	Swanson
Bratton	Goff	McKellar	Thomas, Idaho
Brockhart	Goldsborough	McMaster	Thomas, Okla.
Broussard	Gould	McNary	Trammell
Burton	Greene	Norbeck	Tydings
Capper	Hale	Norris	Vandenberg
Caraway	Harris	Nye	Walcott
Connally	Harrison	Oddie	Walsh, Mass.
Copeland	Hastings	Overman	Walsh, Mont.
Couzens	Hatfield	Patterson	Warren
Cutting	Hawes	Pine	Waterman
Dale	Hayden	Pittman	Watson
Deneen	Hebert	Reed	Wheeler
Dill	Heflin	Robinson, Ind.	
Edge	Howell	Sackett	

The VICE PRESIDENT. Eighty-two Senators have answered to their names. There is a quorum present.

Mr. WALSH of Montana. Mr. President, I realize that it is a work of supererogation to say anything further upon this question of the constitutionality of the amendment offered by the Senator from Kentucky after the clear and persuasive argument of the Senator from New Mexico [Mr. BRATTON], but if any doubt remains in the mind of any Senator upon the question, I am sure it will be resolved by reading the brief opinion by the law assistant of the Legislative Reference Bureau put in the RECORD two days ago by the Senator from Michigan [Mr. VANDENBERG] and found at pages 1821 and 1822 of the RECORD.

I presume everyone will agree that the word "persons" in the fourteenth amendment, in the applicable constitutional provision, must be given exactly the same construction as the similar word "persons" in the Constitution itself. If this were a question of an amendment to the Constitution of the United States in terms such as those of the amendment proposed by the Senator from Kentucky, it would be difficult to advance any very persuasive argument against the change suggested by him. Of course, conditions have changed vastly since the Constitution was adopted in 1789 and have changed vastly within the last 20 years, but this is no proposal to amend the Constitution of the United States; that is, not nominally so.

I want to read just a paragraph from the opinion of Mr. Turney, the law assistant of the Legislative Reference Bureau, referring to the consideration of this subject in connection with the adoption of the resolution for the fourteenth amendment. It is as follows:

> That the fourteenth amendment was framed with the intention of including aliens is indicated by the rejection by the Congress of proposals to base representation on the number of citizens and on the number of voters. Several resolutions were introduced in the Senate and House basing representation on voters (Cong. Globe, 39th Cong., 1st sess., pp. 9–10, 535, 2804). The House Committee on Reconstruction adopted a resolution expressly proposing apportionment according to the number of citizens in each State (Reconstruction Committee Journal, p. 9), and then substituted a provision apportioning direct taxes and Representatives on the basis of the number of persons in each State, excluding Indians not taxed (Ibid. p. 10). When the matter was before the House Mr. Conkling, who had proposed the substitute in committee, gave the following reasons: (1) Because "persons," not "citizens," had always constituted the basis; (2) because it would narrow the basis of taxation on account of the unequal number of aliens in the several States; (3) because many of the States held representation in part by reason of their aliens, and the legislatures and people of such States would not ratify an amendment which would reduce their representation. (Cong. Globe, 39th Cong., 1st sess., p. 359.) In the Senate Mr. Wilson gave as his reason for opposing the substitution of "voters" for "persons" that it would strike more than 2,000,000 unnaturalized foreigners from the basis. (Cong. Globe, 39th Cong., 1st sess., p. 2986.) These statements show beyond question a contemporaneous legislative construction of the word "person" as inclusive of aliens, and an intention by its use to continue that meaning.

Mr. President, the subject was considered in the House, and reference has been made to an address made by Mr. HARRY ST. GEORGE TUCKER, a Representative from the State of Virginia. Of course, everyone who has the good fortune to enjoy any acquaintance with Mr. TUCKER knows him to be a very earnest and discriminating student of the Constitution, and his views upon these questions are entitled to the very highest respect. The question is as to whether the word "persons" in the applicable provision of the Constitution, whether the original Constitution itself is considered, or whether the fourteenth amendment is considered, is to be read as "citizens." Thus:

> Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

The argument is made by Mr. TUCKER that the word "persons," appearing in various provisions of the Constitution, has received different constructions, that the word means different things in different places. It is argued that in every other place in the Constitution, or in nearly every other place, the word "persons" means citizens, and means nothing but citizens, and therefore he argues it is at least matter of doubt, as I understand him, whether it does not mean citizens in this particular applicable provision of the Constitution.

I am not able at all to accept the reasoning of Mr. TUCKER with respect to that. He says, for instance:

> In the fifth amendment to the Constitution the word "person" is found twice, which includes citizens and all others, the courts having so determined it, not only in this amendment, but in the fourteenth amendment also, on the subjects referred to above.

I might pause to say here that in the memorandum to which I have referred, reference is made to the fact that in the fourteenth amendment, where the word occurs a number of times, it has been construed to include aliens as well as citizens. It has also been adjudicated repeatedly by the Supreme Court that the fourth and fifth amendments to the Constitution, which use the word "persons," include aliens as well as citizens; for instance, that provision of the amendment providing that no person shall be deprived "of life, liberty, or property without due process of law." Mr. TUCKER continues:

> In Article I, section 2, clause 2, the word "person," from the context, clearly means citizen. The same is true in Article I, section 3, clause 3.

Article I, section 3, paragraph 3, prescribes the qualifications for United States Senator, and reads:

> No person shall be a Senator who shall not have attained the age of 30 years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Obviously, Mr. President, the word "person" there does not mean citizen, as contended by Mr. TUCKER, because it contemplates some class other than citizens, for it provides that no person shall be a Senator unless he is a citizen, and consequently the word "person" must be more inclusive than the word "citizen."

He refers again to Article I, section 2, paragraph 2, which is the provision of the Constitution prescribing qualifications for Members of the House of Representatives, which reads:

> No person shall be a Representative—

"No person," observe—

> No person shall be a Representative who shall not have attained to the age of 25 years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Clearly, out of all people who would come under the denomination "persons," there is a certain class taken who alone can be Members of the House of Representatives.

So far from these provisions of the Constitution indicating that the word "persons" is confined to citizens, these provisions clearly demonstrate that in them, at least, the word "persons" is more inclusive than is the word "citizens."

Mr. SACKETT. Mr. President——

The PRESIDING OFFICER (Mr. EDGE in the chair). Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH of Montana. I yield.

Mr. SACKETT. I want to ask a question at that point. The Senator would think that the word "persons" there might refer to persons living in Europe at the time. That word would not confine the provision to somebody simply because he happened to be in the United States. It would cover everybody. The word "person" would be equivalent to saying "no one."

Mr. WALSH of Montana. Certainly; "no one in the world can be a Representative unless he is a citizen of the United States."

Mr. SACKETT. Another question I desired to ask was this, the use of the word "persons" in the amendment about which we were talking must be limited to somebody who is at least in the United States, to be counted. The Senator would not want to count one if he were in Canada. It would have a different meaning in one place from the other. One expression would be much wider than the other.

Mr. WALSH of Montana. We are not to take an enumeration of Canada.

Mr. SACKETT. I know we are not.

Mr. WALSH of Montana. We are to take an enumeration of persons in the United States.

If the Senator will attend, I will read the provision:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers—

The numbers of the people in the respective States; and then it continues—

which shall be determined—

What shall be determined? That is, the numbers in the respective States shall be determined—

by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. GEORGE. I am not taking issue with the Senator's general position, but I do not think the Senator is quite accurate in saying that the word "person," where the qualifications of a Member of the House of Representatives or of a Senator are prescribed, means "citizen."

May I suggest to the Senator that the word "persons" there must of necessity mean "citizens," and it was not used for the purpose of indicating that it was inclusive of some noncitizen there, but it means a citizen for several years—nine years. "Citizen" is uppermost there, but the length of his citizenship is the thing.

Mr. WALSH of Montana. The Senator would have it read, then:

No citizen shall be a Representative who shall not have attained the age of 25 years and been seven years a citizen of the United States.

If the word "persons" in section 2 of the paragraph is to read "citizens," then we have it reading this way:

No citizen shall be a Representative who shall not have attained to the age of 25 years.

Mr. GEORGE. That is exactly what it does mean—that there must have been seven years and nine years of citizenship. The fact that he had been a citizen one year was not sufficient. That is exactly what it means, with all respect to the Senator.

Mr. WALSH of Montana. But that particular language never would have been adopted, because it would have been sufficient to say that one must have been at least 25 years of age and seven years a citizen of the United States.

Mr. GEORGE. It might have been perfectly possible to have framed it in a different way from this language, but what they meant to indicate was undoubtedly that "persons" referred exclusively to the citizen, but a citizen having a citizenship of a specific duration.

Mr. WALSH of Montana. Of course, if he was a citizen for seven years he must have been a citizen for one year.

Mr. BARKLEY. Not only that, but he must have been a citizen of the State from which he was elected.

Mr. WALSH of Montana. No; an inhabitant of the State.

Mr. BARKLEY. He certainly could not have been elected to the United States Senate or the House of Representatives unless he was a citizen. In that sense the word "inhabitant" must mean a citizen.

Mr. WALSH of Montana. The word in the Constitution is "inhabitant" and not "citizen." But that is a matter of no very great consequence, as I view it. Either the word "persons" in the original Constitution or the amendment means "citizens" and is restricted in its meaning to citizens, or it includes aliens as well as citizens. I think there can be no escape from that conclusion. If it does include more than citizens, I think everybody will agree that we have no power to restrict representation to citizens alone. It becomes necessary, in order to establish the validity of the amendment, to make the contention and to uphold the contention that the word "persons" may be read "citizens" and should be read "citizens," so it would read:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free citizens, including those bound to the service for a term of years, and excluding Indians not taxed, three-fifths of all other citizens.

That would be quite absurd because the negroes were not citizens of the United States, but they were "persons" within the meaning of the Constitution. "Three-fifths of all other persons," of course, everybody realizes referred to negroes, referred to slaves—indeed, it referred specifically, of course, to slaves; so that the word "persons" where the word occurs last in the clause referred to people who were not citizens, but they were to be counted, and they were to be counted as "persons." Obviously one signification can not be given to the word "persons" where it first occurs referring to free persons, and an entirely different signification given to it where it subsequently occurs in the same paragraph, indeed, in the same sentence.

Mr. BARKLEY. I do not want to consume the Senator's time, but I should like to ask him this question bearing upon the probable intent of the framers of the original provision. We must take the Constitution as a whole, and especially those parts that dovetail into each other. This section not only involves the question of representation in the House of Representatives but it involves also indirect power given to aliens in the election of a President of the United States through the Electoral College. If the framers of the Constitution had devised a different method of electing the President, say, for instance, giving the people a right to vote directly for President, no one, I think, would contend that they would have conferred that power upon aliens not citizens.

Mr. WALSH of Montana. I dare say.

Mr. BARKLEY. So that if they had provided for the election of President by direct vote they would not have given the alien any direct power in the election count, and it is likewise apparent that they did not intend to give him an indirect power to elect a President through the means of the Electoral College.

Mr. WALSH of Montana. I do not conceive they were given any power. That is not the point at all. This gives to each State certain Representatives, and it is simply a method of determining how many Representatives shall be given to each State.

Mr. BARKLEY. It is a method of determining how many votes they shall have in the election of President.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. TYDINGS. Each State has two Senators, so the theory of the Government was not altogether that every person should have a vote but that it should be a Government of the States as well as of individuals, and we would not all be here, two of us representing a State, if the idea of the Senator from Kentucky had been written into the Constitution.

Mr. BARKLEY. But we are here, two from each State, regardless of population. The question of apportionment does not involve the Senate.

Mr. TYDINGS. No; but it does involve the election of the Members of the House of Representatives.

Mr. WALSH of Montana. I do not think this calls for any extended discussion, but if there remains in the mind of any Senator any doubt upon the question at all it ought to be dissolved upon the consideration that from the beginning of our Government the construction has been given to the word "persons" which the context obviously intended it should have, to include people other than citizens of the United States, because every apportionment that has ever been made has been made upon the basis of the census returns of the total population of the various States.

If the contention now urged upon us is correct, then every Congress which apportioned the Representatives upon the basis of all persons, whether they were aliens or citizens, has violated the Constitution of the United States. The very framers of the Constitution themselves, who became Members of both Houses of Congress immediately thereafter, were guilty of a violation of the Constitution in basing the apportionment in the House of Representatives upon the total population regardless of whether they were citizens or aliens. We can not concede that the men who left the Constitutional Convention in 1789 and went immediately into the Congress as Representatives in one branch or the other—James Madison, for instance, who had more to do with framing the Constitution than any other man—and participated in an apportionment of the Members of the House of Representatives upon the basis of the returns of the census of 1790, either misunderstood or deliberately violated the terms of the instrument they gave to us as the foundation of our Government.

Mr. BARKLEY. My opinion is that the first two censuses taken after the adoption of the Constitution directed that they should be taken according to inhabitants, which may be an entirely different thing from "persons."

Mr. WALSH of Montana. I trust no one will confuse the question of taking a census with making an apportionment. A census obviously would take note of every inhabitant. That is not the question. The question is upon what basis is the apportionment made, and the apportionment is made upon the basis of the inhabitants, excluding Indians not taxed.

Mr. BARKLEY. But the word "inhabitant" does not always mean the same as the word "citizens," because an inhabitant of a State is one who has permanent habitation there, and a person may be a man passing through temporarily.

Mr. WALSH of Montana. It does not make any difference about that. The apportionment was made upon the number of inhabitants and not upon the number of citizens.

Mr. BARKLEY. No; upon the number of persons, unless it be said that a "person" and "inhabitant" mean in all cases identically the same thing.

Mr. WALSH of Montana. The apportionment was made upon the census, which obviously included more than citizens.

Mr. BARKLEY. And more than inhabitants, because it might include persons temporarily located in the community.

Mr. WALSH of Montana. Whatever it was, it included something more than citizen.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Georgia?

Mr. WALSH of Montana. I yield.

Mr. GEORGE. I do not think there can be any doubt but what the word "persons" is broad enough to include the alien who may be a resident, but I do not conceive that to settle the question necessarily. In the Senator's opinion, does it necessarily include all aliens resident?

Mr. WALSH of Montana. By no means. I fully agree with the Senator that under certain circumstances and in peculiar conditions the word "persons" may be restricted in its meaning to citizens.

Mr. GEORGE. But I mean with reference to apportionment. I fully agree that the word "persons"—and I have no difficulty in arriving at the conclusion—is quite broad enough to include aliens, and I think from the discussion that went on over the framing of the fourteenth amendment that that might be the case; but does it necessarily include aliens when we are called upon to apportion?

Mr. WALSH of Montana. It seems to me obviously so.

Mr. GEORGE. Then this practical question: Would it include an alien who had been here for a day or a week?

Mr. WALSH of Montana. Undoubtedly, if he is enumerated. Of course, the Senator will understand that casual and passing aliens are not included in the enumeration.

Mr. GEORGE. Why would they not be? Why might they not be included?

Mr. WALSH of Montana. Because we take a census of the inhabitants. We do not include members of the embassy corps here.

Mr. GEORGE. I know we do not.

Mr. WALSH of Montana. It never was intended that we should include them.

Mr. GEORGE. Otherwise I would feel very much impelled to say that, taking into consideration the whole purpose of an apportionment for Representatives in one branch of the Congress to make the laws for the people of the country, they should be included——

Mr. WALSH of Montana. In the enumeration?

Mr. GEORGE. No; for apportionment purposes.

Mr. WALSH of Montana. I am inclined to think I would agree with the Senator if it were a question addressed to us, but it is quite aside from the question now before us.

Mr. GEORGE. I understand that; but the difficulty is, if it is mandatory in making the apportionment that we take aliens as coming within the word "persons"—if that is thrust upon us as a constitutional mandate or requirement—would it take all aliens or would it take all here or who happened to be here at the time the enumerator went through, or would there be any line drawn?

The PRESIDING OFFICER. The Chair advises the Senator from Montana that his time has expired on the amendment, but he still has 30 minutes remaining on the bill.

Mr. WALSH of Montana. I thank the Chair.

Referring to the inquiry addressed to me by the Senator from Georgia [Mr. GEORGE] about the case of an alien who happened to be here a day, that is a situation that may arise at any time in connection with the enumeration in a particular city. I may go up to the city of New York and happen to be there when the enumerator comes around, but he does not enumerate me; he has no right to do so. His duty is to enumerate the inhabitants of the city of New York; that is to say, those who have something in the nature of a permanent residence in that city. So with the man who comes to this country. If he has been here only for a day, but has actually established a residence here, he goes into the enumeration.

Mr. President, I said I did not regard this matter as calling for any extended debate. It seems to me that the language of the Constitution is perfectly plain. It has received the same construction from the day of the fathers down to this day; that is to say, it has always been held that the word "persons" in the Constitution is not confined to citizens but includes as well aliens who happen to be within our bounds; and the apportionment has always been made upon that basis. In other words, there has been not only a contemporaneous but also a continuous construction of the Constitution to that effect.

Mr. BARKLEY. Mr. President, will the Senator from Montana yield at that point?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. The construction to which the Senator from Montana refers, however, has, I understand, been merely a negative construction, by reason of the fact that Congress has not excluded aliens. There has been no decision of any court interpreting for apportionment purposes the word "persons," as found in the constitutional provision, to mean all persons. As I understand, that question has never been passed on by the courts.

Mr. WALSH of Montana. The Senator will perfectly understand, as pointed out by the Senator from Kentucky, that there is no way of getting an adjudication of the courts on the question.

Mr. BARKLEY. I appreciate that and agree to that suggestion.

Mr. WALSH of Montana. And accordingly it is not strange that there has been no adjudication.

Mr. BARKLEY. It has not been and can not be a matter of judicial construction, and there has been only a negative construction, because Congress has not heretofore dealt with the question.

Mr. WALSH of Montana. But let me say to the Senator, if it were possible, the court would be obliged to determine the question upon the legislation that Congress has already enacted, by which the apportionment is based upon the entire population, including aliens.

Mr. BARKLEY. Not necessarily so, because there has been no judicial procedure in which that question has ever been brought before the courts.

Mr. WALSH of Montana. Exactly. The Senator says it could not be raised because the question has not been presented by any legislation heretofore enacted; but I assert that the question is presented by legislation heretofore enacted, and if it could get into the court, the court would be obliged to determine whether representation based upon the entire population is not in fact in violation of the Constitution.

Mr. BARKLEY. The statute of limitations does not confine Congress with reference to the construction of a question of this sort by reason of past history, and neither does the charge of laches lie at the door of Congress, because the question has not been raised before. So the mere negative suggestion that the question never has been raised in connection with the basis of apportionment does not bind the Congress.

Mr. WALSH of Montana. Everybody agrees that the question has never been decided by the court and never can be decided by the court, so far as I can now see. There has been no controversy about the matter, either one way or the other, except in the Congress of the United States, where alone it can be considered. When it was considered in connection with the adoption of the fourteenth amendment everybody, apparently, agreed that the word "persons" did include aliens as well as citizens.

Mr. BARKLEY. They based that interpretation upon their conception of what the framers of the Constitution had in mind originally in using the same language.

Mr. WALSH of Montana. Quite probably.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Idaho?

Mr. WALSH of Montana. I yield.

Mr. BORAH. I am interested in the suggestion as to whether or not this question has ever been tested in the courts. Do I understand the Senator from Montana to be of the opinion that if we should adopt this amendment it could not be tested in the courts?

Mr. WALSH of Montana. I know of no way by which it could be. I am of the opinion that we could include a whole lot of other subjects and there would be no way of determining the question by reason of other provisions of the Constitution, among others, the provision, "Each House shall be the judge of the elections, the returns, and qualifications of its own Members."

Mr. BORAH. Exactly; but it occurs to me that if we should pass a law which would be distinctly in contravention of the Constitution there could be a way by which its validity could be tested.

Mr. WALSH of Montana. There might be, but I know of no way by which it could be tested, and, in my judgment, the power of the court could not be invoked. If a certain State were given a less representation than it would be entitled to have if the aliens within the State were counted, I do not know how there could possibly be obtained an adjudication by a court compelling the House of Representatives to permit another Representative from that State to sit in that body. My judgment is that it could not be done. However, Mr. President, that is a matter, as it seems to me, that ought never to be addressed to a body of this character. We are all sworn defenders of the Constitution of the United States; each of us has taken an oath before high heaven to uphold that document; every Member of this body, I am convinced, is desirous of observing that oath in its every implication, and it would be most unfortunate at this present juncture if the Congress of the United States should disregard the plain provision of the Constitution of the United States, so plain that there can scarcely be any doubt about the matter in the mind of the ordinary person, and considerably less doubt, in my judgment, in the mind of any man trained in the law.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. SACKETT].

Mr. HAWES obtained the floor.

Mr. BLACK. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. HAWES. I yield.

Mr. BLACK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Deneen	Howell	Shortridge
Barkley	Dill	Johnson	Simmons
Bingham	Fess	Jones	Smith
Black	Fletcher	Kean	Stephens
Blaine	George	Kendrick	Swanson
Blease	Glass	La Follette	Thomas, Idaho
Borah	Glenn	McMaster	Thomas, Okla.
Bratton	Goff	McNary	Trammell
Brookhart	Greene	Norbeck	Tydings
Broussard	Hale	Norris	Vandenberg
Burton	Harris	Nye	Walcott
Capper	Harrison	Oddie	Walsh, Mont.
Caraway	Hastings	Overman	Waterman
Connally	Hatfield	Patterson	Watson
Copeland	Hawes	Pittman	Wheeler
Couzens	Hayden	Reed	
Cutting	Hebert	Sackett	
Dale	Heflin	Sheppard	

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. HAWES. Mr. President, I have followed with interest the discussion provoked by the amendment of the Senator from Kentucky [Mr. SACKETT]. I had not intended to discuss it, but one point seems to become more and more apparent, and that is if we have in the United States some six or eight million visiting aliens, men and women who have not applied for citizenship to the United States, and who, therefore, are citizens of foreign countries, if we base our reapportionment on the presence of these six or eight million foreign visitors, we give to those visitors an unusual political prerogative.

If we go back to the time of the adoption of the Constitution we will find that there was a very limited suffrage in Europe, limited suffrage in England, limited suffrage in Germany and in France; but to-day the franchise has been given to almost all classes of European citizens, and it has now been extended to women. So the thought occurs to me, if there are six or eight million people in the United States, and our laws are to be governed by their presence, and they are counted as citizens in the countries of Europe, these six or eight million people have a greater power in one respect than a citizen of America or a citizen of Germany or a citizen of England.

There must be some line of demarcation. If a man leaves a ship at Ellis Island, goes to his hotel, and is enumerated as an inhabitant, we base our laws and our representation on the temporary visit of a citizen from a foreign land; and, at the same time, if that man returns to Europe he may vote in England, he may vote in Germany, he may vote in any of the countries from which he comes. His power to affect government should end with the government to which he belongs. Apportionment must be based on citizenship, and we are not to be disturbed in this country by the presence of visitors.

Mr. President, when the old forefathers fought out the question of the Constitution some 150 years ago, they naturally gave first thought and first consideration to the colonies. We are all aware of the fact that the great compromise in that convention was in regard to the representation of States, two Senators from each State; and although reapportionment in population is changed so that the State of New York to-day, if we considered representation alone, might have 22 Senators, and we find that five States have two Senators and only one Congressman, the forefathers at that time had in mind conditions that prevailed then. They had in mind, of course, the difficulty presented by the presence of the negro slave. It was a compromise. But the matter that appeals to me as this discussion advances is the unusual position—the peculiar position of power, if you please—that we give to six or eight million temporary visitors to the United States.

If the Sackett amendment is adopted, it will take nothing from these visitors. It will take nothing from the hospitable attitude of the American people, but it would give to these visitors a double power—the right to vote in their own countries and the right by their mere presence in this country for a temporary period to affect the laws of our country on the important matter of congressional representation.

I would not vote for a law that would in any way reflect upon these visitors from abroad. We hope that by studying American institutions, by imbibing some of our thought of liberty and of representation, they may decide to live here and file papers for naturalization. But mere passing visitors who may be enumerated, if we do not change the rule of 150 years ago, still maintain their political rights in all their foreign countries; and we are to determine the basis of our national representation simply because they happen to be casual visitors to our country.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. SACKETT].

Mr. BLACK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Dale	Hayden	Reed
Barkley	Deneen	Hebert	Robinson, Ind.
Black	Dill	Heflin	Sheppard
Blaine	Edge	Howell	Simmons
Blease	Fess	Johnson	Smith
Borah	Fletcher	Jones	Stephens
Bratton	Frazier	Kean	Swanson
Brookhart	George	Kendrick	Thomas, Idaho
Broussard	Glass	King	Trammell
Burton	Glenn	La Follette	Vandenberg
Capper	Goff	Norbeck	Walsh, Mass.
Caraway	Greene	Norris	Walsh, Mont.
Connally	Harris	Nye	Warren
Copeland	Hastings	Overman	Waterman
Couzens	Hatfield	Patterson	Watson
Cutting	Hawes	Pittman	Wheeler

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

CAUSE OF PELLAGRA

Mr. BLEASE. Mr. President, I have received a letter from a gentleman in my State who has been making an investigation of, and seems to be very much interested in, a disease called pellagra. I wish to read his letter, and ask that it be referred to the proper committee. I suppose it should go to the Committee on Commerce for their consideration and action, if they think that action is necessary:

MAY 22, 1929.

Hon. COLE L. BLEASE,
Washington, D. C.

DEAR SIR: Some time ago there was an investigating committee here and elsewhere, I presume, making an effort to find the cause of pellagra.

I have been checking up on that one condition or disease for six years, and I feel that I can safely say that I have never found a case that was not eating or had been eating self-rising flour. It seems to me that if a report was demanded from every physician and chiropractor as to the brand of flour his patient used it would be easily checked up on and condemned. Now, I am aware of the fact that this disease was said to be prevalent years ago before self-rising flour was known. It might have been a different form at that time, or that they in their food got into their systems the same ingredients that are contained in self-rising flour.

I have a mill clinic which I take care of in the evenings. In the last two days I have had five new cases, and found that each of them were eating self-rising flour. I have yet to find my first case among these same people who eat plain flour. Dorland's Dictionary has this to say: "Pellagra is found in southern and central parts of the United States." This showing again, as you already know, that it is a biscuit-eating section.

I made a fishing trip last summer 15 or 20 miles beyond Walhalla. There I found a family suffering with this disease and all the family eating self-rising flour. Occasionally I have a case come in to me from the farm and find that they, too, have been eating this same flour. Take your patient off it and he will improve; put him back on it and he immediately gets worse.

Rats will not eat it, yet our food inspectors have passed on it as complying with our pure food laws and leave it for the public to consume.

Due to repeated requests, I have told a number of people that I would make this appeal to you. I feel sure you will give this matter your prompt attention. Would appreciate a reply at your earliest convenience. My very best wishes to you, and beg to remain,

Yours very truly,

The Walhalla referred to is the county seat of Oconee County, just at the foot of the Blue Ridge Mountains, in the extreme northwestern section of South Carolina.

Mr. President, I know this gentleman; I do not care to reveal his name at this time, but I know he is a man who takes an interest in his fellow man, and I really think that the Committee on Commerce should look into this very important matter. This gentleman is not licensed as a practicing physician, but he is a better physician than a great many men who have licenses, just as in the case of some lawyers; we see a lot of people with signs hanging out who have been admitted to the bar, but never have been and never will be lawyers.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Pennsylvania?

Mr. REED. I thought the Senator had concluded.

Mr. BLEASE. No; I will not be through before 3.30 possibly. I say that to the Senator because I am going on with the discussion of the apportionment bill as soon as I can get this matter referred to the committee.

If it is true, as this man sets out, that the food inspectors are passing this dangerous flour through the country, somebody should take action, there should at least be some investigation into a matter of this character, and for that reason I ask that the letter be referred to the Committee on Commerce.

There being no objection, the letter was referred to the Committee on Commerce.

DECENNIAL CENSUS AND APPORTIONMENT OF REPRESENTATIVES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, the pending question being on the amendment offered by the senior Senator from Kentucky [Mr. SACKETT].

Mr. BLEASE. Mr. President, I had a statement inserted in the RECORD on yesterday, which, of course, few Senators have had an opportunity, even if they desired to do so, to read. I think it is very important, touching the measure which we have before us now.

I want to say, in the beginning, that I have nothing against the alien, or the foreigner, as people call them. My grandfather came to this country from England, landed at Charleston, S. C., and went over into Edgefield County. So it has not been so many years since my family first came into this country. But I am an American above everything else. I would like to say that I am a South Carolinian above anything else. I expect possibly in some respects that would be the absolute truth; but still, I am an American. I put America above everything else.

I do not believe that it is right for us, under our present system of Government, to give aliens the same privileges we have as soon as they come over here. When a boy or girl is born in this country he or she has to live in America 21 years before becoming a voter. Not only do they have to live here 21 years, but there are certain things which they have to learn, there are certain examinations they have to pass. Yet when a foreigner comes here, before he can speak the English language, before he can understand even what is being said to him by any man born and reared in this country, he gets his naturalization papers, he goes to the ballot box, and he has as much right to say who should be President of these United States, and who shall represent him in Congress, or who shall fill the State offices, as the man born and reared here, who has lived here all his life, and owns property here. I do not think that is right.

I was told by a gentleman of high standing that in the congressional district in which he lives the people speak 57 different languages, and that a campaigner starting out in his race for Congress had to carry with him four or five interpreters in order that he could speak intelligently to the people in his district; and that district is over in Pennsylvania, not so very far from the Capital of the United States.

I do not know how far that condition reaches over this country. South Carolina has fewer aliens, or people of foreign population, than any other State in the American Union. I do not care to go into the strike situation in my State, but we did not have any trouble. As a matter of fact, a few men and women did go out on strike, but there was not an arrest made in the entire State, there was not even a case of drunkenness reported, there was not a particle of property, not even a piece of dirt, removed from where it was, and in just a few short days everybody went back to work and harmony prevails in our mills to-day. The reason is that we have not a foreign population to deal with. The people are home folks. I shall go into that when the question comes up in the Senate in its proper course. For these reasons South Carolina is not very much interested in this question from considerations which affect her, but she is interested very much in the other parts of this Nation.

I am not going to drag the negro question into this argument, but I am simply going to ask a question of the Congress: Is it fair and right to give to foreigners, aliens, a right and a privilege which is not given to the American negro? Notwithstanding the fact that he is black, is it right to turn him out in the street, put him in the bread line, sleep him in box cars or in alleys, wherever he may go, when a foreign population is being housed and fed and taken care of, a population which can neither read nor write the English language, and the members of which must have somebody standing over them even to give them orders to carry out the duties they are hired to perform? This question is bound to come up sooner or later. We can not get away from it by passing some piece of legislation. Nor can we get away from it by saying we are going to deprive this State or that State of representation.

This bill, as I understand it, would not affect my State at all, but if it did—and I think my colleague will join me in saying that our people take this position—if we are given a fair, square census all over the United States, and the yardstick is applied to every State in the Union just as it is applied to South Carolina, if it is made fair and square, if we shall gain we will thank you, if we shall lose a Representative we will have no complaint, if the census is taken fairly and squarely in the entire United States.

That is our position. We are not asking any mercy of anybody, and we are making no apologies for what we do. But we do think that the people of the entire country, born on American soil, educated in America, reared in America, who own property in America, who are taxed in America, should be given more right and more privilege than the man who has been over here for only six or eight months.

If Senators will look on pages 1711, 1712, and 1713 they will find the figures which come from the department, not from me—from Doctor Hill, I believe—and these figures show that the alien population of this country which can not vote has 33 Representatives in the House of Representatives. That is not right. No party can make it right, and no individual can make it right.

Yesterday I had put into the RECORD a statement from the Allied Patriotic Societies (Inc.), of New York City. The names signed to that communication are Hugh White Adams, Henry Pratt Fairchild, Bell Gurnee, Harry H. Laughlin, Alexander L. Ward, Dwight Braman, and Francis H. Kinnicutt.

They sent out a table which I think should be interesting to all the people of this country. That is why I requested that it be put in the RECORD. It is as follows:

American population as of 1920

Derived from—	
Austria	843,051
Belgium	778,328
Czechoslovakia	1,715,128
France	1,841,689
Germany	15,488,615
Great Britain and Northern Ireland	39,216,333
Irish Free State	10,653,334
Italy	3,462,271
Netherlands	1,881,359
Norway	1,418,592
Poland	3,892,796
Russia, European and Asiatic	1,660,954
Sweden	1,977,234
Switzerland	1,018,706
Total from all quota countries	89,506,558

Mr. President, that is a pretty good-sized population, it seems to me, to which to give representation in the Congress under any census. If I had to write a census bill, and could have it passed, I would have the census taken, and I would require more than simply the name of the man at the head of the household; and I think an amendment to this effect ought to be put on this bill, although I do not care to offer it. When a man's name is taken, his father's and mother's names should be taken and the race to which he and they belong, in order that we could tell not only now but in the years to come, who his father and mother were and whence they came and their nationality. Then I would make a record of his country, whether he was native, naturalized, foreign born, or what; and then I would fix it so the representation in the Congress should be made upon the actual voting population of the country. Those are the only people entitled to representation here if I see it right. If a majority do not register and vote, it is their fault. If there are 10 men living in a town and there is an election there and only 3 of them vote, 2 for one man and 1 for another man, the 7 who stayed at home have not any right to complain.

They could have gone to the polls and voted also, and possibly elected another man or perhaps the same man would have been elected, but when a man who has a right to vote stays away from the polls and does not take any part in the election, he has no right to complain of the result.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. BLEASE. I yield.

Mr. HEFLIN. If the Senator will permit me, there is another very important phase of the subject that I think should be brought to his attention and to the attention of the Senate just at this point. Arthur Brisbane, I think last year, said at least a million people were being smuggled into the United States every year. We have between 6,000,000 and 7,000,000 aliens here, and it may be that half of them, or more than half of them, were smuggled into the country, and therefore have come here without the consent of the American people. They are not legally or properly here, and they have no right whatever to be counted in our population and Members of Congress sent here based upon such a population.

Mr. BLEASE. I thank the Senator for his suggestion.

Mr. BLACK. And may I state that there are 14,500,000 foreign born in the United States to-day. That is what the statistics show.

Mr. BLEASE. I have been trying, as a member of the Committee on Immigration, to help remedy the very matter the senior Senator from Alabama has brought out. I was surprised that the Senate did not pass the bill. There are certain farmers in some of the States of the Union who go across into Mexico every year and bring across the line into the United States hundreds and possibly thousands of Mexicans, who work putting in their crops, because they can get that labor for practically nothing, because it is very cheap and very convenient. The Mexicans are brought over into the States to plant the crops, and when those farmers get ready to gather the crops they are brought back again. Those farmers will claim, and it will be shown by the figures given before the committee, that those Mexicans go back to Mexico. But that is not correct.

Some of them go back, but there are hundreds of them who stay in the United States, and are here to-day who have never been permitted to come here in a proper way and would not have been allowed to stay here if our laws had been properly enforced.

But if we suggest to those gentlemen a plan to let each farmer in that section who wants so many hands be responsible, then it is a different matter. If, for instance, Mr. A writes to the Immigration Bureau "I want to bring over here from Mexico 100 or 500 men," then let that man be responsible for the same number returning. Let him bring them in and make the crop and gather the crop, but when they are through with that work let that same man, Mr. A, be responsible for everyone of them going back. When that suggestion was made they spurned the idea. They said, "No; we can get them," and we who are not in favor of that system can not help ourselves, because they have the power to keep Congress from passing any law to remedy that situation and those conditions.

As the senior Senator from Alabama [Mr. HEFLIN] well said, it is not only Mexicans. The present Secretary of Labor has been doing everything in his power to remedy that situation. He is one member of the Cabinet who was not reappointed; he is just a holdover because of the fact that he was appointed by a man who selected a Cabinet and not a lot of "me toos," a man who needed a Cabinet with brains in it, so he held on to our old friends Andy Mellon and Jim Davis.

Mr. Davis has been doing all he can to remedy the situation to which I have referred. He recommended the enactment of two certain laws. The Senate passed both of the bills and they were sent to the House of Representatives, where one of them was never passed on at all, but is still there, and the other one was mutilated and cut all to pieces, and finally came back to the Senate with some amendments, which my distinguished friend from California [Mr. JOHNSON] permitted to go through, notwithstanding the fact that he knew there were amendments in it that were not right and that were absolutely unfair.

If we are to remedy that situation it must be done by means of the census. For the benefit of those who have not taken the time to look into the figures sent here by the department, I would like to call their attention to just a few statistics.

Here is the estimated population for January 31, 1930, as they expect it to be. Total population in Maine, 768,000; native born, 600,200; naturalized, 42,768; not naturalized, 65,000. In the little State of Maine there are 65,000 people not naturalized who will receive representation in the Congress. Native population, 638,346; negro population, 1,310. One of those negroes is a preacher from my town. I was in Portland, Me., one day and felt certain that I had got into one town where I did not know anybody and where nobody would know me. Mrs. Blease and I were walking along and I heard somebody walking rapidly behind me. I looked back and it was a tall slender colored boy, whom I had known from the time he was a little boy in my home town. I said, "What are you doing up here?" He said, "I am preaching." "Preaching? I did not know you had darkies enough up here to have a church." He said, "No, sir, Mr. BLEASE; I got a mixed congregation." He was preaching over there trying to help convert some of the white people to white supremacy and some of the negroes to God. [Laughter.]

New Hampshire, 443,000 estimated; native population, 351,686; naturalized, 38,147; not naturalized, 52,250. I shall only read the natural and not naturalized populations now.

Vermont, 21,086 naturalized; 23,472 not naturalized.

Massachusetts, 459,321 naturalized; 629,227 not naturalized.

Rhode Island, 82,276 naturalized; 92,913 not naturalized.

Connecticut, 144,805 naturalized; 233,634 not naturalized.

I could read on through the various States, but I do not care to take the time of the Senate. But anyone who has not studied the question and who would look into these figures to get exactly what the native-born population and the foreign-born population is of each State in the Union and how many of them have been and have not been naturalized would be astonished.

I ask the question in all fairness, Why should the man who is not born in this country and who has never been naturalized as an American citizen—I do not say a voter, but a citizen—have the same right to representation here as the man who is born here, reared here, and votes here?

The VICE PRESIDENT. The Senator's time on the amendment has expired. He has 30 minutes on the bill.

Mr. BLEASE. I will reserve that until a later time.

Mr. BLACK. Mr. President, I suggest the absence of a quorum.

Mr. JOHNSON. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from California will state the point of order.

Mr. JOHNSON. The suggestion of the absence of a quorum is not in order, because no business has been transacted since the last call.

The VICE PRESIDENT. The Chair will have to overrule the point of order. The Senator from South Carolina [Mr. BLEASE] presented a letter in the nature of a memorial and asked that it be referred to a committee. There was no objection, and the memorial was referred to the Committee on Commerce. That, in the opinion of the Chair, constituted business. The clerk will call the roll.

Mr. JOHNSON. There was no reference of any memorial.

The VICE PRESIDENT. The Senator from South Carolina read the letter and asked that it be sent to the Committee on Commerce. It was sent to the desk, and, under the rule, such a matter goes to the proper committee, unless there is objection made. There was no objection made. The clerk will call the roll.

The legislative clerk proceeded to call the roll, when

Mr. WATSON. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Indiana will state his parliamentary inquiry.

Mr. WATSON. Is there anything before the Senate now except the completion of the roll call?

The VICE PRESIDENT. There can be nothing else before the Senate, except by unanimous consent.

Mr. WATSON. Then, I ask unanimous consent at this point that the Senate take a recess until Monday next at 12 o'clock noon.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

RECESS

Thereupon (at 3 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, May 27, 1929, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

SATURDAY, *May 25, 1929*

The House met at 12 o'clock noon.

The Rev. Hugh T. Stevenson, pastor of the Bethany Baptist Church, Washington, D. C., offered the following prayer:

Almighty God, our Father, we draw near to Thee this morning to thank Thee for the blessings that Thou hast given us, for Thy watchful care and protection in the night. We rejoice in the privilege of another day of service. We ask that Thou give unto us the leadership of the Holy Spirit, so that we may glorify Thee in our work here, and we ask Thy blessing to rest upon all connected with our country. Grant that in the lines of promoting peace and good will among all people we may follow Thy leadership. We ask Thee to help us to do Thy will and perform the tasks that Thou hast assigned to us to-day. Aid us with Thy strength. For Thy glory we ask it. Amen.

The Journal of the proceedings of yesterday was read and approved.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 616. An act to authorize the Secretary of War to lend War Department equipment for use at the world jamboree of the Boy Scouts of America.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 101. An act to provide for producers and others the benefit of official tests to determine protein in wheat for use in merchandising the same to the best advantage, and for acquiring and disseminating information relative to protein in wheat, and for other purposes; to the Committee on Agriculture.

THEA JOHANNA NELSON

Mr. UNDERHILL. Mr. Speaker, I present a privileged resolution from the Committee on Accounts for immediate action.

The SPEAKER. The gentleman from Massachusetts offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 41

Resolved, That there shall be paid, out of the contingent fund of the House, to Thea Johanna Nelson, mother of Robert M. Nelson, deceased, late clerk to Hon. JOHN M. NELSON, an amount equal to six months' salary.

The SPEAKER. Under the order of the House that the tariff bill shall be the continuing business, the Chair doubts whether this resolution is privileged. The Chair will therefore ask, Is there objection to present consideration of the resolution?

There was no objection.

The resolution was agreed to.

SPEECH OF J. W. POLE, COMPTROLLER OF CURRENCY

Mr. WILLIAMS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a copy of a speech delivered by the Comptroller of the Currency before the Maryland Bankers' Association at Atlantic City on May 23, 1929.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The speech is as follows:

BANKING AND THE NEW FINANCIAL ERA

I. THE NEED FOR A NATIONAL BANKING SYSTEM

There are two fundamental reasons why a system of national banks is essential to the public welfare. First, commerce between the States is vested with a national interest, and in order that it may be financed in an orderly manner it is necessary that there be a uniform system of commercial banking with a common standard under the direction and supervision of the Federal Government. Second, and more important than the first, it is necessary for the Government of the United States to possess a governmental instrumentality of finance in the form of a system of national banks in order that it may, through them in times of stress, be able to enforce a national financial policy. Our own financial history has conclusively demonstrated that the Federal Government can not rely upon the voluntary cooperation of the State banks and trust companies for the execution of a national policy. It may be instructive to pass some of this history briefly in review.

At the very beginning of our national life the woeful failure of the Continental Congress to finance the War of the Revolution was due in no small part to the lack of an instrumentality in the form of a national bank. The First Bank of the United States was an outgrowth of this experience.

The First Bank of the United States was opened at Philadelphia December 12, 1791, and its charter limited to 20 years. It later established branches at Boston, New York, Baltimore, Washington, Norfolk, Charleston, Savannah, and New Orleans and served as an instrumentality of the Federal Government. Through it loans were made to the Government in anticipation of taxes; it acted as custodian of Government funds, in the collection of the revenues, in the transmission of public moneys, and otherwise strengthened and improved the public credit.

As early as 1808 it was recommended to Congress that the charter be renewed. Later, as it became increasingly evident that war was imminent with Great Britain, Gallatin, then Secretary of the Treasury, urged upon Congress the necessity of the renewal of the charter in order to safeguard the interests of the Government. Strong opposition developed to the renewal of the charter, and in 1811 the bill for renewal was finally lost. The Government thus entered the war the following year without any banking instrumentality under its control.

There were in 1811, 88 local State-chartered banks with a combined capital of nearly $43,000,000. The failure to charter the Bank of the United States, or set up some similar Federal instrumentality in its place, caused enormous losses to the Government during the war period of 1812 to 1816 in flotation of its loans. The Government was not able to secure the cooperation of any of the State banks. The Treasury received only $34,000,000 in specie for $80,000,000 of Government obligations put out. In other words, they paid about 135 per cent for the money to finance the war and the State banks profited at the expense of the public.

In 1816, as a result of this bitter lesson, Congress chartered the Second Bank of the United States. With the veto of the recharter bill for the Second Bank of the United States on July 10, 1832, by President Jackson, the Government was again deprived of a fiscal instrumentality. In 1841 a bill passed both Houses of Congress for the incorporation of a new bank of the United States, but was vetoed by President Tyler. During the 30-year period preceding the Civil War, the Federal Government operated without any fiscal instrumentality other than the independent Treasury system.

At the outbreak of the Civil War in 1861 Secretary Chase foresaw the need for a national banking system to support the public credit. At this time there were more than 1,600 State banks in the country. No action was had in that year by Congress, and in 1862 Chase again presented his plan in detail for a system of national banks and urged its adoption. After the outbreak of the war the circulating currency of the State banks rapidly increased with the result of great depreciation in value and loss of public confidence. In the following year (1863) the national bank act was passed, but only a handful of new banks were incorporated.

In 1864 the national bank act was reenacted whereby many of its provisions were improved and the State banks were by a special amendment invited to become national banks.

The act still remained ineffective. Secretary Fessenden thereupon made a recommendation to Congress that the opposition of the State banks to the new national system be removed by the enactment of discriminatory legislation, and Congress by the act of March 3, 1865, used the taxing power to compel the State banks to nationalize. The Civil War was over before the national banking system got under way.

Under the Federal reserve act of 1913 as originally enacted national banks were forced to become members of the Federal reserve system, and State banks were permitted to become members if they so desired. From the period of 1914 to June 21, 1917, only 53 State banks and trust companies joined the Federal reserve system. We had entered the World War in April of that year, and it was considered absolutely necessary that the Federal reserve system have the support of all the banks, State and national. In order to induce the State banks and trust companies to come in, special amendments were made to the Federal reserve act and approved by the President June 21, 1917. These amendments offered to the State banks more favorable conditions of membership than that held by the national banks. An extensive campaign was inaugurated for State-bank membership. Under the stress of war, with its Liberty loan drives and the great fervor of patriotism, State and Federal officials, as well as committees of the American Bankers' Association, publicly and repeatedly urged State banks and trust companies to enter the Federal reserve system as a patriotic duty. On October 13, 1917, the President of the United States issued a proclamation calling upon all eligible State banks to join the Federal reserve system as a "solemn obligation." Notwithstanding these circumstances, out of 8,500 State banks and trust companies eligible for membership, only 212 joined the system in 1917 after the amendments were adopted, and only 686 in 1918. The total membership of State banks and trust companies at the close of the war was only 936.

The Federal reserve system could not have been created by Congress out of the State banks and trust companies. Had the national banking system not been in existence the year before the outbreak of the World War, we would in all probability have witnessed another disastrous attempt in war finance.

II. THE PLIGHT OF THE NATIONAL BANKING SYSTEM

It is no criticism of the State banks and trust companies to say that the National Government can not rely upon them to serve as its instrumentalities in the enforcement of a Federal fiscal policy. Banking, like other business enterprises, is entered into by stockholders for the purpose of realizing a return upon the investment. It is futile to attempt to impute to such stockholders altruistic or patriotic motives. As between two systems of banks, capital will flow more freely into the one which yields the largest returns in dividends. If the advantage in this respect be fundamental and permanent, the system of banks thus favored will be the one which will survive.

If Congress therefore would protect itself from the loss of its present banking instrumentality, it must make it to the advantage of capital to seek the national rather than a trust-company charter. Banking capital is without prejudice or sentiment. It will flow back into the national banks normally and easily with the turn of the tide of advantage. The alternative would seem to be the elimination of the national banks in favor of 48 distinct systems of banks under the supervision of 48 separate banking departments.

Within recent months the trend toward trust-company charters by national banks has been alarmingly accentuated. Great bank consolidations of national banks and trust companies are taking place in which the national charters are being given up. Within the past six months, 79 national banks with aggregate resources of two and three-quarter billions have passed over under State jurisdictions. I shall not attempt here to analyze the cause of these defections, but it is quite evident that it is being found more advantageous to carry on the business of banking under trust-company charters.

However, it is within the power of Congress to turn the advantage in favor of the national banks and thereby make it to the interest of all banks to operate under the national charter. What form this action should take requires the most careful consideration. I shall in the course of my remarks suggest a method of approach to an adequate remedy.

III. BANKING FACES NEW ECONOMIC CONDITIONS

The inauguration of the Federal reserve system in 1914 and the outbreak of the World War in that same year definitely marked the close of a financial era in the United States. The line of cleavage between the pre-war and the post-war periods is so clear that the student of finance has no difficulty in setting off the one against the other. Our economic development within the past 15 years has been so rapid and so varied that it seems as though we had lived in that short period through several generations. The mere mention of some of the outstanding factors in this development will be sufficient to bring to your minds the new conditions under which we now live. Not the least of these is the modern automobile upon the automobile road. These have abolished distances between local communities and have revolutionized the social life of the country districts. Transportation by air is now a practical fact and it would tax the imagination to conceive how it will accelerate the ease of transportation begun by the automobile. The extension of communication by telephone and now by radio to every rural community has brought into a common knowledge and contact every phase of our national life. The need for mass production of goods and commodities has caused greater centralization of corporate management in industrial enterprises with the result of greater efficiency and economy in operation and with cheaper and better output for the consumer. We have achieved an outstanding position in world finance and are rapidly developing the instrumentalities to discharge that serious responsibility. We are now in a period of great national prosperity and growth in which the public at large is participating to a degree hitherto unknown.

IV. THE UNIT SYSTEM OF BANKING

The system of banking which developed in the United States under the State banking laws and later under the national bank act of 1863 has come to be known as unit banking. The term unit banking is of recent origin and is used in contrast to the development of branch banking and group banking within the last few years.

A unit bank may be defined as a banking corporation having its origin in a definite local community and confining its banking activities primarily to that community. Its original organization was a local enterprise of considerable significance and local public interest. Its board of directors, officers, and employees are residents of the local city, town, or village. On the average the capital stock is relatively small. Of the 7,575 national banks in operation on March 27, 1929, 7,193, or 95 per cent, had an average capital of $107,000, which includes all banks outside of central reserve and reserve cities; while the remaining 5 per cent, or 382 banks in the central reserve and reserve cities, had about 57 per cent of the total resources.

The business of a unit bank is derived from the community in which the bank is situated. This includes such business as may be afforded by the commercial activities of the city, town, or village and by the outlying farming communities. The president of the unit bank is ordinarily a prominent local citizen and under the old economic régime he had an opportunity to become interested in local industrial enterprises and local public utilities.

Under the system of horse transportation for the rural communities—a system which ended with the close of the pioneer life of America—the unit bank was in a much stronger position than it is to-day. Apart from the question of their great contribution to the upbuilding of local communities, they were profitable as operating corporate units for the reason that they were normally integrated with the local economic situation. The president of such a bank was a personage in the community and the bank fostered and financed local business enterprises. The banker was a factor in the local street-car company, the local telephone company, the local gas plant, the local power plant and the like. If I were asked to pick out a single type of institution which has contributed the most to local community independence and thereby to the foundation of our national development, I should choose the unit bank. It is the most representative of the genius of the American people.

Looking, however, at the unit bank from the viewpoint of present-day economic and social conditions, the question is being raised whether the unit bank can survive. The unit bank, like many other types of local enterprise, was made possible by the great distance between the local settled communities. Distance has now been abolished, and as a consequence of this one factor the unit bank finds itself face to face with difficulties that seem to be almost insuperable. The old opportunities for the local banker to have a hand in local enterprises has passed away, because the local enterprises have become to a large extent merged into larger national operations. Every phase of the public utility business has passed from local control into the hands of great centralized corporations, which are able to give better and more efficient service. The financing is not done in the rural communities but in the large cities by the metropolitan banks.

The unit bank, being therefore thrown back upon its own resources, has to face the rising cost of management with a relative decrease in income. Many of them are now unable to offer to young men entering the banking business either salaries or the prospects of a career of sufficient attractiveness to obtain the highest type of management personnel.

We can not escape being moved with great concern to observe that at a time of the most unparalleled strengthening of our financial position in domestic affairs and in foreign commerce and in investments, namely, during the last eight years, there have been more than 5,000 failures of unit banks in the United States, with an aggregate total of deposits of $1,500,000,000. These banks were scattered in various sections of the country districts of the United States—in the South, the Mid West, the Northwest, and the Southwest, with a scattering few on the Pacific coast and the Northeastern States. It is impossible for me to describe the acute local suffering occasioned by the losses of hard-earned savings and by the disruption of local business enterprises. In many of these communities public confidence in the unit banks has been so severely shaken that funds which should find their way into banking channels are being withheld. During this 8-year period there was not a single failure of a large metropolitan bank.

The unit State banks in rural districts as a rule have not found it profitable to become members of the Federal reserve system. Out of about 15,000 State banks and trust companies in the United States only 1,208 have become members. If it were not compulsory for national banks to become members of the Federal reserve system considerably more than one-half of them would probably never have become members. The State unit banks outside of the large cities seem to find no place in the Federal reserve system.

V. THE GROWTH OF GROUP BANKING

We have witnessed within the last two years an amazing development in the concentration of control over groups of unit banks. This has come to be called group banking. It is not confined to any one section of the country but seemed to be springing up everywhere. There are literally hundreds of these groups of banks varying in size from half a dozen banks to a hundred or more. The usual form of the group system is for a holding company to acquire the majority of the stock of a number of unit banks and then set up a central management personnel for the purpose of operating the group as nearly as possible as a single system. Organizers of these groups maintain that a combination of unit banks under a single ownership affords greater safety to the public and an improvement in the quality of the banking services.

There appear to be, however, certain inherent weaknesses in a system of group banking. From an operating standpoint it is necessarily unwieldy. Each member of the group is a separate and distinct corporation responsible to its own board of directors. It must operate as a distinct and separate corporation under its own capital and resources and under the distinct limitations placed upon its activities by law. The central management can enforce its policies only by indirection—that is to say, by inducing the local boards to accept voluntarily its policies and in case of refusal to set up at the next annual election a new board through its control over a majority of the stock. It is necessary to carry a distinct overhead of personnel for each bank.

In other words, as compared with branch banking, group banking from an operating standpoint seems to lack the flexibility and the economy and efficiency which carries the services of the central bank directly to the public served by each branch. Morally and psychologically the central management of the group system may go to each member of the group with its support, but the funds of the various members of the group can not be shifted about from one bank to another. The corporate set-up, therefore, of a group system is necessarily complicated, whereas under a system of branches each branch is the bank itself and the full power and resources of the bank is in each place where it does business, whether at the head office or at the branches. Disregarding for the moment the question of public policy, the branch system is in operation incomparably simpler than the group system.

VI. REEXAMINATION OF BRANCH BANKING NECESSARY

Contrary to the opinion of many the McFadden Act of February 25, 1927, was not intended to be a permanent settlement of the branch-banking question. It was a compromise measure.

Prior to the passage of this legislation, branch banking had made considerable headway in many sections of the United States. In certain large metropolitan centers like New York City, Detroit, Cleveland, Los Angeles, Boston, and others, branch banking as an extension of services by downtown banks to other parts of the city had demonstrated that the movement was sound and practicable. This latter situation was recognized by Congress in the McFadden Act, when national banks were permitted to establish city branches. In some sections of the United States branch banking had been extended by State banks beyond the city limits to the surrounding suburban communities; to the boundary limits of the county or adjoining county; and in several instances to the boundary lines of the State itself. Regarding these outside branches as being in the nature of an experimental operation, Congress desired to create a situation under which this movement could be studied for a few years without permitting it to expand. As a consequence the McFadden Act held all of these branches in statu quo as to number and location, but permitted them to be nationalized. After the approval of the act practically every large branch-banking system, with branches on the outside of the city in which the bank was situated, took advantage of this opportunity and became national banks and are now operating under the national banking laws.

In view of the existing situation with reference to unit banking, the growth of group banking, the curtailment of branch banking by Federal statutes, and the increasing number of bank mergers under trust-company charters, the time appears opportune to reexamine the basic structure of our entire banking system and to formulate a new banking policy to meet present-day conditions.

The national bank act specifically makes it the duty of the Comptroller of the Currency to recommend to Congress "any amendment to the laws relative to banking by which the system may be improved and the security of creditors may be increased." In the present critical state of the national banking system I feel it to be a serious undertaing to discharge that responsibility. Before proceeding therefore to lay before Congress a definite formulation of proposed amendments to the banking laws, I shall at an early date call into consultation a group of outstanding bankers and students of finance and shall ask their assistance in the formulation of recommendations to Congress which will offer to State banks and trust companies an opportunity to gain a wider field of banking operations under the national charter.

ORDER OF BUSINESS

Mr. BANKHEAD. Mr. Speaker, I would like to submit a parliamentary inquiry before the Chair recognizes the gentleman from Oregon.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Under the rule adopted yesterday for the consideration of the tariff bill it is provided that the consideration of the bill for amendment shall continue until Tuesday, May 28, at 3 o'clock. At the rate of expedition that is being made now in the disposal of amendments it seems to me it is entirely probable that the conclusion of the matter may be reached before that time. Would the Chair hold it would be mandatory under the rule to consider the bill for amendment until next Tuesday at 3 o'clock or would it be in order before that time for the chairman of the committee in charge of the bill to move that the committee rise if the consideration of the amendments had been concluded? I merely ask this in the interest of expedition, because it appears to me there is no reasonable necessity for going along with this bill under the circumstances if we can dispose of it to-day or, say, on Monday.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. LAGUARDIA. That is our only hope.

Mr. BANKHEAD. I have abandoned all hope, and that is the reason I am making this inquiry.

The SPEAKER. Replying to the parliamentary inquiry, the resolution provides, among other things, that the consideration of the bill for amendment shall continue until Tuesday, May 28, 1929, at 3 o'clock p. m. The Chair thinks that the committee could not rise and report the bill before 3 o'clock on Tuesday.

Mr. TILSON. This would certainly be true unless we had entirely completed the reading of the bill and all Members who may desire to offer amendments had offered their amendments. If we shall come to that pass before 3 o'clock next Tuesday afternoon, I believe that it would be in order to have the vote sooner.

Mr. BANKHEAD. But the Chair rules contrary to the opinion of the gentleman from Connecticut.

Mr. TILSON. I do not think so.

Mr. BANKHEAD. Yes; absolutely.

The SPEAKER. The Chair thinks the committee could not rise until 3 o'clock on Tuesday except by order of the House.

Mr. TILSON. If we should complete the reading of the bill entirely and everyone who desired to offer amendments had offered them, and they had been considered—in other words, having completed the consideration of the bill—it seems to me that it would be in order then to have the vote.

The SPEAKER. The Chair thinks the committee could not rise before that time, but, of course, a recess would be quite proper in such a contingency.

THE TARIFF

The SPEAKER. Under the rule, the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from New York, Mr. SNELL, will kindly take the chair.

The Clerk read the title of the bill.

The Clerk, proceeding with the reading of the bill, read to the bottom of page 3.

Mr. HAWLEY. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 109, line 16, strike out the comma after pound and insert in lieu thereof a semicolon.

The amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Page 117, line 23, strike out "2" and insert in lieu thereof "5."

Mr. HAWLEY. Mr. Chairman, this is a change from the original amendment proposed by the Committee on Ways and Means to 5 cents a pound on figs. The situation in California and Texas was very carefully investigated. Certain persons appeared before the committee and made statements which did not then satisfy the committee that the duty should be so increased. It was the opinion of some that the rate of duty proposed by the growers was based upon the production of a partial crop. The growers in California have had a serious disease growing out of the importation of wasps used in fertilization of figs, and it also brought a disease which caused disease in the figs. The growers have expended a great deal of money in

cleaning up their orchards and eliminating the disease. The information first presented to us appeared to indicate that they were asking a rate of duty upon a partial crop and not upon what ought to be a normal production. Unless it was based upon a normal production the committee felt that no change ought to be made.

On further investigation we believe that they have the disease under control and the proposed rate is based upon a normal crop and in that case we believe that a duty of 5 cents is justified.

Mr. COCHRAN of Missouri. I have received communications opposing this increase, that it is unnecessary and will work a severe hardship. The committee print of proposed amendments states they would recommend 4 cents, but I see that this amendment increases it to 5 cents. Will the gentleman explain this further increase?

Mr. HAWLEY. That was decided upon this morning.

Mr. TREADWAY. The gentleman says that a large amount of money has been expended in eradicating this disease. Will the gentleman state by whom it was expended? Does he refer to the growers at home or the Department of Agriculture?

Mr. HAWLEY. The growers furnished the money and the Department of Agriculture directed the activities.

Mr. TREADWAY. I thought that information ought to be stated to the House. Will the gentleman inform the House about the amount of acreage both in California and Texas devoted to the growth of figs and the quantity grown in both States? I think that information ought to be before the House.

Mr. HAWLEY. I do not have at my desk the total acreage, but those localities produce practically half the consumption. A good deal of the acreage has not come into bearing, but the production for 1930 and 1931 will be very materially increased by reason of trees coming into bearing. It takes a fig tree several years to reach the bearing period. The information has just been presented to me that there are some 58,000 acres devoted to figs in California and Texas.

Mr. BACON. The gentleman says we are producing one-half of the consumption?

Mr. HAWLEY. That information came to us on the part of the growers and also from the University of California.

Mr. COLE. And there is reasonable hope that we can produce all of the consumption?

Mr. HAWLEY. There is no reason why if the disease is gotten under control that we can not produce in good time a large proportion if not all the consumption.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. COLLIER. There was some evidence showing not only some competition with the dried and in-the-brine figs but there was further evidence by a number of gentlemen, if I recall correctly, stating that figs in our country are prepared in a much more sanitary manner than those which are imported into the country.

Mr. HAWLEY. The American fig is prepared under the pure food laws and is perfectly sanitary.

Mr. COLLIER. Much more so than is the case with the foreign fig. Therefore there was a good deal of justification for this tariff. Was there any evidence to substantiate putting fresh figs on the market? It is mighty hard to keep a fresh fig from souring in 36 hours, even in a Frigidaire. There was a good deal of evidence with reference to the dried and the brine figs, and the preserved figs along two lines, first, competition, and, second, it was conclusively proved to me that the American fig was a much cleaner and a more palatable fig, and the evidence as to the foreign surroundings further made me feel that I should much prefer the native fig.

Mr. HAWLEY. The Americans are taking care to make their product sanitary.

Mr. COLLIER. How about fresh figs? Why were they put in?

Mr. HAWLEY. It is in line with the usual practice of naming the commodity. It is impossible, as the gentleman says, so far as we know now, to import fresh figs; but if figs can be grown in Texas and California, they can be grown in Mexico.

Mr. COLLIER. I have no objection whatsoever to this amendment.

Mr. LAGUARDIA rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LAGUARDIA. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, the distinguished chairman of the Committee on Ways and Means certainly labored in trying to show figures and facts that would justify this increase in the tariff on figs. It would have been better if he had simply stated that there is no reason for this increased duty, except that the growers in California and Texas want it and we ought to give it to them. That is all there is to it. I concede that the conditions under which figs are preserved in the United States are much better than they are in Smyrna or any place else. I concede that; but there is no real justification for this increase in the duty on figs, and the best proof is that there was no increase in the original bill submitted by the committee. What happened was this: California has a mighty sizeable delegation here on the floor of this House, and it was necessary to get the entire California delegation to go along in order to protect your sugar schedule. Let us be perfectly frank about it. That is what has happened. We can get along without figs perhaps. It is not as important to us as potatoes and onions, but to hear this justification for an increase after the committee has investigated and made a report, it seems to me, is entirely out of place.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Not now. I just want to point out to my friends who are interested in fighting the sugar schedule that you can not be of any service to the consumers, to your constituents, if you simply protest, stay away, and come back to vote against the bill. If a sufficient number of Members who are interested in fighting the sugar schedule would remain on the floor of the House, together with those who intend to vote against the bill, we can prevent adjournment, we can continue on this bill, we can compel the reading of the bill so as to give us an opportunity to get an amendment to reduce the tariff on sugar. That is the way to do it.

I am glad to see my colleague from New York, Mr. BOYLAN, here, and Mr. BLOOM, of Manhattan, and my colleague from Brooklyn, Mr. BLACK; but I appeal to you Representatives of city districts that if you want to fight this bill, and if you expect to criticize it after it becomes a law, your place is on the floor of the House here to prevent adjournment and insist upon the reading of the bill, thus creating the opportunity to offer amendments.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. No; I do not want to talk about hides.

Mr. HUDSPETH. But I want to talk about figs.

Mr. LAGUARDIA. Why, you are getting the tariff you want, are you not?

Mr. HUDSPETH. No.

Mr. LAGUARDIA. You want more?

Mr. HUDSPETH. Yes.

Mr. LAGUARDIA. You may as well get it.

Mr. BARBOUR. I suggest to the gentleman that he is not helping this any.

Mr. LAGUARDIA. Do not come here and say that there is sound reason for increasing the tariff on figs. There is not, any more than there is on tomato paste or potatoes.

Mr. BARBOUR. Will the gentleman yield? There is as sound a reason as there is for any other item in the bill, and that is to protect a struggling lot of people who are on the verge of bankruptcy.

Mr. LAGUARDIA. That is just as good reason as for many other items in the bill. I will go along with the gentleman that far; but I assure the gentleman that if figs were raised in just one small State, with two or three Members on this side, you would never have gotten your increase. Let us be honest with each other. You have the votes; you are going to pass the bill. We know that, and let us not fool each other; let us at least at the end of the week be perfectly frank with each other, because that is exactly what has happened. My purpose in taking the floor now is to repeat again that the way to protect our constituents is to stay on the floor of the House, resist adjournment, and compel the reading of the bill in order to present amendments. I am certain that if we can ever get an amendment on the floor before the Committee of the Whole on the question of sugar we can defeat the proposed tariff.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HAWLEY: Page 117, line 25, strike out the figures "35" and insert in lieu thereof "40."

Mr. HAWLEY. Mr. Chairman, this affects figs that are preserved and put up in cans. Practically all of the Texas crop is so preserved, and some of the California crop, and some, I think, of the Arizona crop.

This provides the rate of duty found necessary to protect the preservers of the product in those States. It is not profitable for the growers to raise the figs unless they can be made available for use, and the preserving business in this country is of the greatest value to the farmer, for it takes from the farmer's hands perishable products and puts them up in forms where they can be preserved and furnished to the market as the demand arises, so that the consuming public may have a continuous supply of these useful food products.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

Mr. TIMBERLAKE. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Colorado offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. TIMBERLAKE: Page 105, line 24, strike out the comma after the word "sugar"; page 105, lines 24 and 25, strike out the words "or for distilling purposes"; page 106, line 1, strike out all after the word "sugars," down to and including the word "sugars" at the end of line 3.

Mr. TIMBERLAKE. Mr. Chairman and Members of the House, I know that the House will be interested to know why we present this amendment and why it is offered to the sugar schedule at this time. As chairman of the subcommittee having charge of this schedule, I feel that it is due to the membership of this House to advise you why this is introduced.

I began the consideration of this subject in connection with my comrades on the committee having a very friendly feeling and a controlling desire to aid agriculture, to aid the producers of corn in this country, and I felt that they would be encouraged and the industry protected if it were made possible for a greater amount of corn to be used in the manufacture of denatured alcohol than is used at present by those using blackstrap. I have had some of the most experienced technicians on this subject before our committee. Mr. Bates, of the Bureau of Standards, who for 25 years has been closely connected with the item of sugar and has traveled the world over and visited every country where beet sugar is made, and has also visited Cuba and Porto Rico, was called before us. He also was deeply interested in the subject and endeavored to find a solution whereby it might be possible to give a greater market for the surplus corn that is raised in this country.

We finally determined that a duty of about 4 cents a gallon on that part of the blackstrap that is used in the manufacture of alcohol might be of benefit to the corn industry. Our reports to the full committee were on that basis. The technicians from the Tariff Commission and the Bureau of Standards were heard on the question. There was much opposition developed in the committee for the reason that it was felt that to raise the price of blackstrap would simply add to the price that the consumers would have to pay for their denatured alcohol. You are already acquainted with the various uses to which denatured alcohol is put and it is not worth while for me to outline those uses.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. COLE. The gentleman said that the consumers would have to pay something more. Is not that true of every item in the agricultural schedules of the bill? Some one has to pay for it or the farmer is not going to get more for his product.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. McDUFFIE. What percentage of the blackstrap molasses now going into the distilling of alcohol is produced in this country?

Mr. TIMBERLAKE. About 220,000,000 gallons, according to the report of the Tariff Commission.

Mr. McDUFFIE. In round numbers, what percentage is that?

Mr. TIMBERLAKE. That is a pretty large percentage. I have not reduced it to the percentage. About 40,000,000 wine gallons of denatured alcohol are produced.

Mr. McDUFFIE. I know; but what percentage of the blackstrap molasses used in the distilling of denatured alcohol is produced in this country?

Mr. TIMBERLAKE. I can not say. Of course, a good deal of blackstrap is obtained from the cane industry.

Mr. McDUFFIE. Some of it comes from Cuba?

Mr. TIMBERLAKE. Yes; most of it from Cuba and the Philippines.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. TIMBERLAKE. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. TIMBERLAKE. So I come to you to-day as one who has tried to be of use to agriculture. But I was unable to get from the committee their consent to a higher duty on blackstrap. Later I was flooded with protests against it, protesting that 2 cents a gallon would not aid corn in the slightest degree, but would add very materially in cost to the users of denatured alcohol. Henry Ford, a patriotic citizen, came before us and he said that it would cost him a million dollars a year in his business. Notwithstanding that, he made it plain in his communication to me that on account of his interest in agriculture, if it can be demonstrated that 2 cents a gallon would in any wise aid the corn industry in the manufacture of industrial alcohol he would withdraw his opposition.

Mr. COLE. Mr. Chairman, will the gentleman yield for another question?

Mr. TIMBERLAKE. I will yield for a question. My time is short.

Mr. COLE. Is it not true that alcohol can be made for 36 cents a gallon? I insist that 36 cents a gallon is not too much for Mr. Ford to pay.

Mr. TIMBERLAKE. In order that the committee might have the information furnished me by the Tariff Commission experts, I desire to read their report.

Approximately 90,000,000 "wine" gallons of denatured alcohol are produced in this country annually. A bushel of corn will produce 2.4 gallons of alcohol and about 2.7 gallons of blackstrap molasses will produce one gallon of alcohol.

The present capacity for production of denatured alcohol is about 220,000,000 gallons, divided as follows: Two hundred and five million gallons in plants using molasses and 15,000,000 in plants using corn (equivalent to about 6,250,000 bushels of corn). Corn plants are using about 7,500 bushels of corn a day, equivalent to about 2,500,000 bushels of corn annually. The present annual output of alcohol from plants using corn is about 6,000,000 gallons. About 7,000,000 bushels of corn are used annually at Terre Haute, Ind., in making butyl alcohol, from which a small amount of denatured alcohol is obtained as a by-product.

LOCATION OF ALCOHOL PLANTS

Molasses-using plants are located in coast cities of Boston, New York, Philadelphia, Baltimore, New Orleans, and San Francisco. The corn-using plants are at Pekin, Ill.; Lawrenceburg, Ind.; and Cincinnati, Ohio. These corn-using plants have an estimated capital investment of about $4,500,000.

USES OF DENATURED ALCOHOL

The 90,000,000, gallons are used approximately as follows: Forty million gallons in antifreeze products, 25,000,000 gallons in cellulose (lacquers, artificial silk, pyroxylin lacquers, and pyroxylin plasters), 8,000,000 gallons in shellac and varnish, 6,000,000 gallons in toilet preparations, and 11,000,000 gallons in miscellaneous preparations.

They go on to show—and I have not the time to read it in full, but I will extend it in the RECORD—the difficulty that the corn plants would have and the expense that would be entailed in changing the plants from ones that would use blackstrap to ones that would use corn in denaturing alcohol. All of these things led me to the conclusion, and it was the judgment of my committee that the duty of 2 cents a gallon on denatured alcohol should be eliminated so that the schedule would remain as it is in the present law, one-sixth of a cent a gallon on that portion of blackstrap that now comes into this country, regardless of whether it is used in feed or for denaturing purposes.

Mr. HUDSPETH. Will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. HUDSPETH. From what article is the blackstrap that is imported into this country manufactured?

Mr. TIMBERLAKE. From cane sugar. Mr. Chairman, I ask unanimous consent to revise and extend my remarks by printing the remainder of this report by the Tariff Commission.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to revise and extend his remarks by including the report of the Tariff Commission on this proposition. Is there objection?

Mr. RAMSEYER. Mr. Chairman, reserving the right to object, the gentleman said this was a report from the Tariff Commission on blackstrap?

Mr. TIMBERLAKE. Yes.

Mr. RAMSEYER. The gentleman does not mean that. He means it is a report from one of the experts in the Tariff Commission.

Mr. TIMBERLAKE. I accept the amendment. It is from an expert in the Tariff Commission.

Mr. RAMSEYER. I did not want the Members of the House to get the impression that the Tariff Commission itself has passed on this proposition.

Mr. TIMBERLAKE. I am glad the gentleman has made that statement. I did not want to be misunderstood. I intended to say that this statement was made by an expert from the Tariff Commission who appeared before us.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The statement above referred to is as follows:

CONVERSION OF PLANTS FROM MOLASSES TO CORN USING

The estimated cost of converting present molasses-using plants to corn-using plants is at least $10,000,000. It costs from 3 to 5 cents per gallon more to convert corn into alcohol than to convert molasses. Most of the present molasses-using plants could not be used for corn, as they are located in coast cities, too far from surplus corn-raising States, and freight rates would be prohibitive. The freight rate on corn from Iowa to New York, for instance, is 27½ cents a bushel. This would add 11½ cents a gallon to the cost of alcohol from freight alone. Capital would probably not risk investment in corn-using plants in the Middle West in corn-surplus region because of the threat of establishment of synthetic-alcohol plants, and corn-using plants could not be established on a profitable basis without expenditure of a great amount of capital.

RESULT OF INCREASED TARIFF RATE

If an added tariff rate raises the price of molasses imported, these manufacturers would continue to use molasses and raise the price of alcohol as long as the trade would stand for it. The increased price on alcohol would eventually result in substitution, especially in the antifreeze trade, the principal market for alcohol, and this increase would be reflected in the price of a large number of products made from or involving the use of alcohol. Higher alcohol cost would mean the rapid development of synthetic-alcohol production, already well developed in Germany and other countries. Synthetic alcohol may be produced at about 30-odd cents a gallon, but this cost would be greatly reduced by production on a larger scale.

Germany, England, and other European countries now have well-developed molasses-alcohol producing factories, and molasses from Cuba could be sent to Europe to be manufactured into alcohol and other products, and then be sent into this country in the form of alcohol derivatives and products requiring alcohol in their manufacture. It is not clear that an increased duty on molasses will result in the replacement of molasses by corn, and on the other hand, it will hasten the establishment of synthetic alcohol plants and will threaten the existence of the molasses-alcohol industry, which is now organized for the use of molasses as a raw material.

Already antifreeze substitutes are rapidly invading the market. Prestone, which retails at about $5 per gallon, has a wholesale price of about $2.25 a gallon. Glycerin, which retails at about $2.50 per gallon, has a wholesale price of about $1.50 per gallon. Alcohol retails at about $1 per gallon, but on account of rapid evaporation, etc., is little, if any, cheaper in the long run, even at present prices, than non-evaporating substitutes.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. TIMBERLAKE. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. COLLIER. Will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. COLLIER. I want to ask the gentleman this question in order to clarify this situation in the minds of several who have asked me about it, this being a technical schedule. As I understand it, the committee amendment simply means this, that blackstrap molasses will not carry the duty that was originally in the Hawley bill, but will revert back to the lower duty that is now carried in the Fordney bill.

Mr. TIMBERLAKE. The gentleman is correct, and that duty is one-sixth of a cent a gallon.

Mr. COLLIER. I merely wanted to clarify the matter.

Mr. HASTINGS. Will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. HASTINGS. Then the duty will be one-sixth of a cent a gallon instead of 2 cents?

Mr. TIMBERLAKE. Yes; instead of 2 cents as carried in the present law.

Mr. McDUFFIE. Will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. McDUFFIE. But that does not apply to blackstrap that is used for distilling purposes?

Mr. TIMBERLAKE. There is no distinction made as to the purposes for which it is used. It is only one-sixth of a cent a gallon now, no matter for what purpose it is used.

Mr. McDUFFIE. Then I misunderstood the gentleman. I thought he was putting 4 cents on this.

Mr. TIMBERLAKE. No; it leaves the duty as it is in the present law, one-sixth of a cent a gallon, no matter for what purpose it is used.

Mr. HUDSON. Will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. HUDSON. In other words, the committee amendment places blackstrap molasses in its present status under the Fordney tariff bill, which is now the law.

Mr. TIMBERLAKE. Yes; which is one-sixth of a cent a gallon.

Mr. HUDSON. If used for any purpose?

Mr. TIMBERLAKE. Yes.

Mr. HUDSON. It takes it from the report of the committee and places it back in its present status?

Mr. TIMBERLAKE. That is correct. If there are no further questions, I will yield the floor.

Mr. WILLIAM E. HULL. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Colorado.

The CHAIRMAN. The gentleman from Illinois offers a substitute for the amendment offered by the gentleman from Colorado, which the Clerk will report.

The Clerk read as follows:

Mr. WILLIAM E. HULL, of Illinois, offers as a substitute for the amendment offered by the gentleman from Colorado the following amendment: Page 106, line 2, strike out the words "thirty-six one-hundredths of 1 cent" and insert in lieu thereof "one and forty-four one-hundredths cents."

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. What is the gentleman's point of order?

Mr. CHINDBLOM. The gentleman is not amending the amendment offered by the gentleman from Colorado. He is amending the text of the bill. The only thing before the committee now is the committee amendment.

The gentleman says he is amending certain words in line 2 of page 106 of the bill, but those lines of the bill are not before the committee. The only thing that is before the committee is the amendment offered by the gentleman from Colorado [Mr. TIMBERLAKE] on behalf of the committee.

Mr. RAMSEYER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Iowa rise?

Mr. RAMSEYER. Mr. Chairman, I want to discuss the point of order. The gentleman from Colorado has made a motion to strike. Every word included in that motion to be stricken from the bill is before the House, and it is a well-known rule that pending a motion to strike perfecting amendments are in order. The committee may decide not to strike the language proposed to be stricken out or the committee may decide to perfect the text before voting on the motion to strike out. The whole text is before the House. I do not think there can be any question, Mr. Chairman, as to the amendment being in order.

Mr. HASTINGS. Mr. Chairman, may we have the committee amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the committee amendment.

The committee amendment was again reported.

Mr. RAMSEYER. Mr. Chairman, since the committee amendment has been again reported, I wish to call to the attention of the Chair and Members of the House that on page 105——

Mr. HUDSON. Will the gentleman yield so that we may have the other amendment read and have both of them before us?

Mr. RAMSEYER. I will come to that in a moment. On page 105, in lines 24 and 25, we have these words before the committee "or for distilling purposes." On the next page, page 106, in the first three lines, we have these words before the committee: "Molasses imported to be commercially used for distilling purposes, thirty-six one-hundredths of 1 cent per pound of total sugars."

Now, the committee may have it in mind not to strike out these words, not a one of them, but while the motion to strike is before the House the committee has the right to change the words that are before the House. If this were not the situation, then you would have to abolish entirely the rule that when an amendment is before the House it is subject to amendment.

The gentleman from Illinois [Mr. WILLIAM E. HULL] proposes to strike out the words "thirty-six one-hundredths of 1 cent"

and insert in lieu thereof "one and forty-four one-hundredths of 1 cent." This language is technical language and the "thirty-six one-hundredths of 1 cent," which is in the bill, means in plain English 2 cents a gallon. What the gentleman from Illinois proposes, one and forty-four one-hundredths of 1 cent per pound of total sugars, translated into plain English, means 8 cents per gallon.

The Chair announced to the House yesterday that while any amendment is before the committee, germane amendments would be in order, and certainly to change a word in an amendment which is clearly before the committee, or to change two words, is germane.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. LAGUARDIA. Yesterday the ruling by the Chair on an amendment which I offered I believe decided absolutely the germaneness of the pending amendment. The gentleman will recall that the gentleman from North Dakota offered an amendment to the live-cattle paragraph, and in that same paragraph was a provision for a duty on frozen meat. I offered an amendment to the frozen-meat item, and the Chair ruled—

The gentleman from New York, of course, is in order to offer any amendment to the committee amendment that is germane to the committee amendment that is now before the committee. Paragraph 701 deals with several items—cattle, beef and veal, fresh, chilled, or frozen, as well as tallow. The only amendment before the committee at the present time is one dealing with live cattle, so that the amendment offered by the gentleman from New York dealing with canned meat, in the opinion of the Chair, is not germane to that amendment.

Now, the amendment offered by the gentleman from Illinois [Mr. WILLIAM E. HULL] is absolutely to the same lines and the same purpose and the same subject matter as the amendment offered by the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. RAMSEYER. There can be no question about that.

Mr. DICKINSON. Mr. Chairman, I want to make just one further suggestion, and that is that the amendment of the gentleman from Illinois [Mr. WILLIAM E. HULL] increasing this rate in effect from 2 cents a gallon to 8 cents a gallon may have a material effect on the decision of a great many members of the committee in deciding whether or not they want the motion of the gentleman from Colorado [Mr. TIMBERLAKE] to prevail. Therefore, it goes to the gist of the question of whether or not these words can be perfected or whether they would want to have them stricken out as proposed by the gentleman from Colorado. It seems to me the language has a very material bearing on the amendment of the gentleman from Colorado and is connected with it.

Mr. DOWELL. Mr. Chairman, as I understand it, the rule to limit amendments to the Ways and Means Committee was to get the question directly before the committee or before the House through that committee. This has been done by the amendment of the committee as presented here. It now comes under the regular rules of the House and stands exactly as though a special rule had never been adopted. Under the general rules of the House any amendment that is directly germane to the amendment offered is in order, and I think the proposed amendment comes clearly within that rule. I think the amendment is in order and it should be so held.

The CHAIRMAN. The amendment offered by the gentleman from Colorado is to strike out certain words in lines 1, 2, and 3, on page 106. To this the gentleman from Illinois [Mr. WILLIAM E. HULL] has offered a substitute amendment to strike out and insert, his amendment being as follows:

Page 106, line 2, strike out the words "thirty-six one-hundredths of 1 cent" and insert in lieu thereof "one and forty-four one-hundredths cents."

This is offered as a substitute for the amendment offered by the gentleman from Colorado.

In the opinion of the Chair, a motion to strike out and insert is not in order as a substitute amendment to a simple motion to strike out. If the gentleman from Illinois had offered his amendment as a perfecting amendment, the present occupant of the Chair would have ruled it in order.

The Chair sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. Under the rule, the committee having offered an amendment to this particular paragraph, if that amendment is voted down, is the section still open to amendment from the floor under the rule?

The CHAIRMAN. Only an amendment to the committee amendment. The Chair has tried to make that plain.

Mr. RAMSEYER. It is only a matter of giving the amendment a wrong name. I have been discussing the point of order with reference to it as a perfecting amendment.

The CHAIRMAN. As far as the ruling of the Chair is concerned it is different.

Mr. WILLIAM E. HULL. Can not I offer it as a perfecting amendment?

The CHAIRMAN. The gentleman can offer it as a perfecting amendment.

Mr. BOYLAN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BOYLAN. Would it not be possible to suspend the rules—the rule passed yesterday—in so far as it refers to Schedule 5 and throw Schedule 5 open for discussion?

The CHAIRMAN. It would not.

Mr. WILLIAM E. HULL. Mr. Chairman, I offer the following amendment as a perfecting amendment.

The Clerk read as follows:

Amendment by Mr. WILLIAM E. HULL as a perfecting amendment to the amendment offered by the gentleman from Colorado [Mr. TIMBERLAKE]: Page 106, line 2, strike out the words "thirty-six one-hundredths of 1 cent" and insert in lieu thereof "one and forty-four one-hundredths of 1 cent."

Mr. CHINDBLOM. Mr. Chairman, I make the point of order for the purpose of getting a ruling on the point that this is an amendment to the text of the bill, which has not been read. The only thing before the committee is the motion of the gentleman from Colorado, offered on behalf of the Committee on Ways and Means, properly designated as a committee amendment. The only thing before us is that motion, and the text of the bill is not before us.

Mr. DOWELL. Mr. Chairman, the gentleman from Illinois can not claim that an amendment can be offered by the committee and then prevent an amendment to that amendment. The gentleman seeks to prevent an amendment being offered to a committee amendment.

Mr. CHINDBLOM. If the amendment should be adopted, it would leave the text amended, and then, if the committee amendment were rejected, the result would be that the text would be amended before the text had been read, and action would not be on the committee amendment but upon amending the text.

Mr. DOWELL. When the committee amendment is presented the text is before the committee.

Mr. CHINDBLOM. One more word—this amendment does not propose to amend the amendment of the committee. It simply proposes to amend the text, and the text is not before the committee.

The CHAIRMAN. In the opinion of the Chair the words that the gentleman from Colorado proposes to strike out from the bill are before the House at the present time and are open to any germane amendment. The Chair holds the amendment in order; and the point of order is overruled.

Mr. WILLIAM E. HULL. Mr. Chairman and gentlemen, I want to say to you in advance of making a speech that it has not been my intention at any time to reflect on the Ways and Means Committee in offering this amendment. I am sincere in everything I am going to say to you.

I want you to listen to me carefully, and then after you hear what I have to say if you think it is better to sustain the original 2-cent rate and leave backstrap free to come in in competition with corn, I have nothing to say; I will be satisfied, whatever the House does. I will not try to do anything to discredit the Ways and Means Committee on this bill. But I want to talk to you Democrats as well as Republicans. We are here for what purpose?—to try and help the farmer. It does not make any difference whether he comes from Louisiana, Texas, Iowa, or anywhere else. We are here for that purpose.

Now, listen to me. In using blackstrap, which has been used since 1922, you have eliminated the use of corn, as stated by the gentleman who spoke before me. In 1916 we used 32,000,000 bushels of corn in making alcohol. You have got it down to 6,000,000 bushels. You have made all of the alcohol from a foreign product coming from Cuba, and the United States Government has lost $56,000,000 in revenue if they had had 8 cents duty and the same amount of molasses had come in. All this has gone into the hands of a lot of speculators along the Atlantic coast.

I tell you it is a crime to go along and propose to let this thing stand—let speculators raise the molasses price and after they have raised it to keep the corn-growing people from furnishing corn for alcohol.

Molasses started to sell at 3¾ cents in 1923, and this trust—and my friends, it is the most gigantic trust in the whole world,

because they have all the molasses corralled in the Philippines, in Porto Rico, in Java, and in Cuba—when it wants to raise the price of molasses has only to drop a few shiploads into the ocean. They have already raised it from 3¾ cents in 1923 to 12½ cents to-day, and just so sure as you adjourn and do not put this duty on, you will see blackstrap getting up until it is 20 cents, and these men who are fighting me to-day on account of the pretended advance price of alcohol will rue the day when they shut out corn. I have a report here from the Department of Agriculture which shows that there is an average of 23 per cent of wet corn every year for the last 10 years. Every bit of that wet corn which is within the radius of these distilleries can be used for alcohol, and the farmer will get the benefit of it, and you will get your alcohol cheaper than you will by having it made by this Molasses Trust. Is there a single man on either side of the House who dares to rise up and say that he does not want to help the farmer on this proposition? If you leave this, as you have it under the motion of the gentleman from Colorado [Mr. TIMBERLAKE], taking it all off, you will all rue the day, those of you who are using alcohol. I know about the alcohol business probably better than any man in this House. You have 12½-cent molasses to-day. You have 88-cent corn. Twelve-cent molasses multiplied by 6½ makes it 78 cents. Eighty-eight cents, corn with 10 cents that you get off for feed, is 78 cents. In other words, the trust has put molasses so high to-day that you can take 88-cent corn and compete with it. You say to me, "Why don't you start your distilleries out there?" You can not start these plants without some kind of a guaranty to the man who is going to start them. Put the 8-cent duty on molasses, as my amendment calls for, you will start them all.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WILLIAM E. HULL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. HUDSPETH. It has been stated over here on this side that the gentleman's amendment means an absolute embargo upon the shipment of blackstrap into this country. Is that a fact?

Mr. WILLIAM E. HULL. Not if they pay the 8 cents tax, and they can pay it. They have been putting it in their pocket now for several years, and have been keeping it. Let them pay out some of it now to the Government.

Mr. HUDSPETH. Will there be shipments of it?

Mr. WILLIAM E. HULL. Yes; I think so. I think about half this alcohol will be made out of molasses, and that they will pay the 8 cents, and that the other half will be made out of corn.

Mr. WYANT. Is there much blackstrap produced in this country?

Mr. WILLIAM E. HULL. Very little.

Mr. WYANT. All of this blackstrap comes from these foreign countries?

Mr. WILLIAM E. HULL. It is all under one trust, and they live in England.

Mr. WYANT. And all of the blackstrap produced in this country would receive the benefit of the duty of 8 cents a gallon?

Mr. WILLIAM E. HULL. Yes; and the men who are making feed out of blackstrap get the advantage, because if you reduce the blackstrap coming into the country you will produce more blackstrap here and the feed fellow will use more.

Mr. WHITTINGTON. Is it not true that this paragraph raises the present tariff on blackstrap used for feed?

Mr. WILLIAM E. HULL. No; this only raises it for distilling purposes, and you can collect it at the distillery, because you have the gaugers there, who weigh in every pound of blackstrap.

Mr. WHITTINGTON. That refers to the gentleman's amendment.

Mr. WILLIAM E. HULL. Yes.

Mr. WHITTINGTON. But the tariff on molasses is raised in this bill.

Mr. WILLIAM E. HULL. My amendment applies only to the distillery end of it. It will help the feed man more than it will hurt him.

Mr. PATTERSON. It will not raise the price?

Mr. WILLIAM E. HULL. No.

Mr. HUDSPETH. What will the feed man have to pay?

Mr. WILLIAM E. HULL. Whatever the price is. This will not affect him at all except in this way: If you take it out of the distilleries it will make more molasses to sell and probably reduce the price.

Mr. HUDSPETH. That is, more for feed purposes?

Mr. WILLIAM E. HULL. Yes.

Mr. LOZIER. And the vote against the gentleman's amendment is a vote to deny the corn growers of America an additional market for their corn.

Mr. WILLIAM E. HULL. Forty million bushels a year, and that means that all of this wet corn will be sent to the distilleries, while a whole lot of it has to be thrown away at the present time.

Mr. ELLIS. I observed the argument of the gentleman from Colorado [Mr. TIMBERLAKE] that it would cost money to put these plants, to convert them, into the manufacture of alcohol so as to afford a market for the wet corn of this country. Is not that an argument in favor of increasing the tariff?

Mr. WILLIAM E. HULL. I want to answer the gentleman from Colorado on that subject. We have over 50,000 bushels daily capacity in the West now, and we can take $5,000,000 and put it all to work. This thing of their telling you that they have to have $50,000,000 invested and all that sort of stuff is rot. This will let the farmers sell their wet corn and make alcohol out of it, and these men who are fighting it on account of raising the price of alcohol are only deceiving themselves, because if you put two commodities on the market with which to make alcohol you certainly will get a better chance to have cheaper alcohol than if it is in the hands of one trust.

Mr. SCHAFER of Wisconsin. And the passage of the gentleman's amendment will offset some of the damage done to the corn farmers by the passage of the prohibition law, which curtailed the use of corn for distilling purposes.

Mr. WILLIAM E. HULL. I can not answer that question.

Mr. McDUFFIE. The gentleman just said that this Molasses Trust had raised the price.

Mr. WILLIAM E. HULL. Yes.

Mr. McDUFFIE. And it is almost prohibitive.

Mr. WILLIAM E. HULL. Yes.

Mr. McDUFFIE. If that is true, or if the price goes much higher, could they turn to making alcohol out of corn instead of molasses?

Mr. WILLIAM E. HULL. No; and for this reason: You have got to have some incentive to get the distillers to fix up their plants. But if you put a duty of 8 cents they will go out and rehabilitate their distilleries.

Mr. McDUFFIE. Does not the gentleman know that 8 cents on blackstrap molasses means that we are placing an embargo on blackstap molasses? It will be impossible to get it in.

Mr. WILLIAM E. HULL. You had it at 3¾ cents and you raised it to 12 cents. So if 8 cents was added to the original price, 3¾ cents, it would not be as high as it is now.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WILLIAM E. HULL. May I have five additional minutes?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. JOHNSON of South Dakota. The gentleman in submitting the list of the countries from which the blackstrap comes omitted Jamaica.

Mr. WILLIAM E. HULL. Yes. I should have included Jamaica.

Mr. WYANT. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. WYANT. Was not blackstrap formerly a waste product?

Mr. WILLIAM E. HULL. Yes. It used to run into the ocean. They would make alcohol out of beet refuse.

Mr. O'CONNOR of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. O'CONNOR of Louisiana. The gentleman said 8 cents would not cut much ice. If so, why have it?

Mr. WILLIAM E. HULL. I did not say that. I said it would do no more good than the other.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. COLLIER. The amendment which the gentleman proposes will not affect the use of blackstrap molasses in other industries?

Mr. WILLIAM E. HULL. It will not. It is all for distilling purposes.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. SUMMERS of Washington. I want to call the attention of gentlemen representing potato growers to the fact that the duty proposed by the gentleman from Illinois [Mr. WILLIAM E. HULL] on blackstrap will be to the advantage of every district that raises potatoes, because potatoes may be used in the manufacture of industrial alcohol. Authorities tell me potatoes can not now be used to advantage becuase blackstrap is so cheap.

Mr. WILLIAM E. HULL. Yes. I am not trying to put this over on the House. If you do not see fit to put 8 cents on blackstrap, that is all right with me. I am simply doing what I think is right. I think I am doing a great service to this country, not only to the manufacturer and the farmer, but the consumers or users of industrial alcohol. I know what I am talking about. I want to say in conclusion, gentlemen, use your own judgment. I will take my medicine, one way or the other.

Mr. SUMNERS of Texas. I want to see if I understand the gentleman's proposition, which is that those plants that have been using corn will be compelled to close, and can not open now, because if they do these people who are importing blackstrap will put the price up.

Mr. WILLIAM E. HULL. Yes.

Mr. HUDSPETH. And your amendment is for that specific purpose only?

Mr. WILLIAM E. HULL. Yes.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. CRISP. If your amendment is adopted, would it not increase the duty, except on that blackstrap which is used for alcohol?

Mr. WILLIAM E. HULL. It will only affect that which is put into the distilleries. That is all we ask. [Applause.]

Mr. OSIAS. Mr. Chairman, I move to strike out the last two words of the amendment presented by the committee.

The CHAIRMAN. The gentleman from the Philippine Islands is recognized.

Mr. OSIAS. Mr. Chairman, the motion which I made is a pro forma motion as a result of what I have learned from my brief stay in the House of Representatives, because I find that in order to get time, several Members have proposed to strike out one word, and I go them one better and present a motion to strike out two words, in the hope that out of your generosity I will get double the time you have been conceding. [Applause.]

Mr. Chairman, we are considering Schedule 5, sugar and molasses, which vitally affects the Philippines. We are discussing a measure bearing upon the leading products of the islands. These products, like sugar, coconut oil, hemp rope, and others under their appropriate schedules should be discussed in relation to section 301, special provisions, which continues and guarantees the integrity of the free-trade reciprocity between the two countries.

I have been pleased beyond words to have listened to the gentleman from Colorado [Mr. TIMBERLAKE], whose resolution several months ago raised a great deal of alarm and confusion in my native land. From the records of the hearings of the Committee on Ways and Means and from the declarations of the gentleman from Arkansas [Mr. RAGON], the chairman of the Committee on Ways and Means [Mr. HAWLEY], and others, I learned that there was a concerted and organized effort directed to levying duties on Philippine products, especially sugar, or placing a limitation upon Philippine exports to this country.

It was with genuine pleasure for me to have heard the gentleman from Colorado [Mr. TIMBERLAKE] declare on the floor of Congress "that great consideration should be given to the welfare" of the Philippine people as long as America has jurisdiction over them; the gentleman from Arkansas [Mr. RAGON] opposing "the program of the sugar people * * * whereby they meant to stop or to limit the importation of Philippine sugar after it reached 500,000 tons"; and the gentleman from Oregon [Mr. HAWLEY], who, in reporting the bill, reasserted that the insular possessions "have the right of free trade with the United States under this bill in the same measure as they have had it in the past." It was with special satisfaction for us, the representatives of the Philippines, to read in the report of the Committee on Ways and Means accompanying the tariff bill H. R. 2667, that—

> All amendments proposing to restrict in any way imports from the possessions of the United States by imposing limits as to kind, quality, values, or in any other way, were rejected.

I have been pleased to observe not only from the members of the Committee on Ways and Means, but from several who have spoken representing both sides of the House that there is a general desire to do what is just and right to the Filipino people. I therefore rise to-day to express the feeling of gratitude on the part of the 13,000,000 people of the Philippines whom I have the honor to represent here for the successful resistance on the part of the members of the Committee on Ways and Means against the efforts of those who were bent on levying duty or placing limitations upon Philippine exports to the United States. [Applause.]

By successfully rejecting the proposed imposition of duty or placing limitations upon Philippine products coming into this country while American goods going to the Philippines are absolutely free and without limit, you have avoided the errors of other colonizing countries in history which have disregarded the economic well-being of their colonies. You have shown that selfish considerations are repugnant to your traditional ideals of justice. You have added new luster to the American name. There should surge in the breast of every Member a new pride for this refusal to place sordid considerations above moral principles. [Applause.]

I wish I may be permitted to present a few facts to rebut certain points urged by the advocates of limitation.

The CHAIRMAN. The time of the Commissioner from the Philippines has expired.

Mr. COLLIER. Mr. Chairman, I ask unanimous consent that the commissioner may have five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. OSIAS. Mr. Chairman, I thank the Members for their generosity.

Much has been said and written about the menace from Philippine sugar. The Philippine sugar industry is not a menace to the continental beet and cane sugar industry of America, because the islands contribute only 8 per cent of the total annual consumption of the United States, while foreign sources supply 55 per cent.

According to Willett & Gray, sugar statisticians, January 12, 1928, page 19, the total sugar consumption of the United States for 1927 was 5,297,050 long tons supplied by the following countries:

	Tons	Per cent total
Louisiana (cane)	38,597	0.74
United States (beet)	780,362	14.74
Hawaii (cane)	635,765	12.00
Virgin Islands (cane)	5,466	.10
Porto Rico (cane)	482,469	9.10
Philippine Islands (cane)	434,542	8.20
Various sugars, United States	1,385	.02
Total domestic	2,378,586	44.90
Cuba (cane)	2,912,898	54.99
Other foreign countries	5,566	.11
Total foreign	2,918,464	55.10
Total United States consumption	5,297,050	100.00

Fear has been expressed about the future extraordinary expansion of sugar production in our country. On this point I wish to set forth the following facts.

The recent increase in Philippine sugar production is not due so much to the increase of acreage under cultivation as to the increased efficiency through the introduction of modern machinery purchased from the United States and through the adoption of modern methods. The area planted to cane in 1895, when the Philippines produced its record crop, during the Spanish régime, was 205,044 hectares (506,671 acres), while in 1927 the area planted to cane was 237,350 hectares (585,500 acres), or an increase of only 32,306 hectares (79,829 acres), or 15 per cent. The sugar production in 1895, or three years before American occupation, was 391,470 metric tons, while in 1927–28 the production of centrifugal sugar amounted to 574,715 metric tons, besides 62,117 metric tons of muscovados and other low-grade sugars.

The islands have made the least increase and the slowest progress in sugar production compared with Java, Hawaii, Porto Rico, Cuba, and the United States, as may be adduced from the following data:

(In metric tons of 2,204 pounds)

	Record production before 1898		Record production in recent years		Per cent increase
	Year	Tons	Year	Tons	
United States (beet)	1897–98	41,046	1924–25	883,765	2,055
Porto Rico	1870–71	104,961	1927–28	681,595	549
Cuba	1893–94	1,071,131	1925	5,208,231	410
Java	1897	586,292	1928–29	2,991,441	410
Philippines	1895	391,470	1927–28	636,832	87

The belief that there will be an unusual and extraordinary increase in the next few years in Philippine sugar production is unwarranted: (a) Because of the difference in the organization of the sugar industry in the islands compared with other countries like Hawaii, Cuba, and Porto Rico, where the large capitalists own both their sugar centrals and the sugar lands, whereas in the Philippines the sugar centrals are owned by capitalists and cane is produced by small sugar planters from lands of their own; (b) because of the limited number of laborers available, for all the laborers are Filipinos, and the immigration laws of the United States which are applicable to the Philippines do not permit the importation of cheap labor as it is done in other countries; (c) because of the shortage of capital on the part of sugar planters; (d) because of the land laws extant in accordance with congressional enactment; and (e) because of the difficulties of opening up uninhabited virgin lands.

I would like to be permitted, Mr. Chairman, to incorporate as part of my remarks a brief memorandum prepared by a member of the special delegation sent here by the Philippine government, consisting of Speaker Roxas, of the Philippine House of Representatives, Senator Osmeña, of the Philippine Senate, and Secretary Alunan, of the department of agriculture and natural resources.

On pages 1401 and 1402 of the CONGRESSIONAL RECORD in connection with the remarks of the gentleman from Utah [Mr. COLTON], a table is published showing the production of sugar in the United States, Porto Rico, Hawaii, Virgin Islands, Cuba, and the Philippines from 1890 to 1928. In 1895, or before the implantation of American rule, the production of the Philippines was 376,402 tons. This was the peak of production during the Spanish occupation. This production was not again equaled until 1922, or a lapse of over a quarter of a century, or 27 years, to be more exact, when the production was 378,739 tons. The production for 1928, according to this same table, was 667,657 tons. Bear in mind that the acreage planted to sugar has not materially increased, for in 1895 it was 506,671 acres, and in 1927, or 32 years after, it was 585,500 acres.

It should also be borne in mind that if the present methods of extraction and milling had been in vogue in 1895 our production would have practically been the same as the present production, or slightly less, for at that time primitive methods of milling were in use, extracting only from 50 to 55 per cent of the cane juice, whereas the modern methods enable sugar men to extract from 92 to 96 per cent of the cane juice.

Moreover, there should be no fear in the light of the fact that the world's sugar production for 1927–28 was 26,700,000 metric tons and the world's consumption was 25,742,000 metric tons. In view of this yearly overproduction of about 1,000,000 metric tons, economic statesmanship would not dictate the additional investment of many millions of dollars or the opening up of large tracts of land for cane cultivation in the Philippines or anywhere, for that matter.

Let me now show the fallacy of the allegation that the sugar industry in the Philippines is controlled by foreigners. Americans and Filipinos control 76 per cent of the capital investment. Ninety-three per cent of the owners of sugar lands in my country are Filipinos and Americans. One hundred per cent of the labor is Filipino.

It is alleged by those who argue in favor of limitation of Philippine imports that it would be good for the Philippines, for it will lead to diversification of crops. Diversification is a practice already followed by Philippine farmers, as the following table will show:

Area planted to different crops in 1927	Acres
Rice	4,465,277
Manila hemp	1,058,549
Sugar	586,500
Coconuts	1,236,000
Tobacco	185,122
Corn	1,387,201
Maguey	74,957
Cacao	3,533
Coffee	2,496

The total area planted to the foregoing nine agricultural products is 9,158,567 acres. It will be seen that the area planted to coconuts, hemp, corn, or rice is much greater than the area devoted to sugar cane.

Mr. Chairman, free trade has been advantageous both to the United States and the Philippine Islands. The restriction of free trade would be inimical to the best interests of both countries: (a) Because it will reduce the tolls charged in the Panama Canal by reducing the tonnage going to the Philippine Islands from the Atlantic seaboard and return; (b) because it will reduce the purchasing power of the inhabitants of the Philippine Islands for American goods.

The commerce between the United States and the Philippines rose from $21,171,844 in 1909, or 32 per cent of the total trade of the islands, to $199,443,943 in 1928, or 68 per cent of the total Philippine commerce; (c) because of the injurious effects upon American shipping, agriculture, manufacture, and commerce; and (d) because it will tend to reduce America's trade in the Far East, which grew by leaps and bounds since American occupation of the Philippines.

To recapitulate, I submit that the curtailment of freedom of trade with the islands while the American flag waves over them would be a complete reversal of the altruistic policy which America has announced from the inception of American rule in the Philippines; that the limitation of free entry of Philippine sugar into the United States will lead to similar limitations on other Philippine products; and that America's prestige and honor will not countenance the imposition of tariff duty upon a commodity essential and necessary to the American and Filipino home while the Filipino people are absolutely powerless to impose any kind of limitation upon American products exported to the Philippines, for by the present organic act the instruments of our economic salvation are not in Filipino hands.

We confidently hope that in the enactment of this tariff measure the special provisions affecting the Philippine Islands shall be kept intact. We place our reliance on your readiness to observe those ideals and principles which have made free and democratic America the object of admiration throughout the world. In the name of the 13,000,000 people in the Philippines, I appeal to the American heart; I appeal to the American mind; I appeal to the American soul. All that the Filipino people expect, all that I would ask in their behalf, is that in the determination of this economic question, as well as in the solution of those larger, more vital, and more fundamental issues involving American-Filipino relations, the Congress of the United States, the Government and people of America will strictly apply Democratic justice, Republican justice—aye, American justice. [Applause.]

The memorandum above referred to is as follows:

SUGAR PRODUCTION IN THE PHILIPPINES

By Rafael R. Alunan, secretary of agriculture and natural resources, Philippine government

Ever since my arrival in the United States I have gathered the impression that there is a belief prevailing in certain quarters that the Philippines possess an unlimited capacity for sugar production, equaling that of Java or Cuba. As an official of the Philippine government in charge of the department of agriculture and natural resources, I have with me facts and figures in this connection which demonstrate the inaccuracy of this belief. There are certain factors which contribute in checking the development of the sugar industry in the Philippines. These are, among others, (1) lack of labor, (2) limited cane areas, (3) soil and climatic conditions, and (4) lack of capital.

1. LACK OF LABOR

Because of the immigration laws of the Philippines, which are similar to those of the United States, Chinese and other oriental labor are barred, thereby closing to the islands the only possible source of outside labor supply and making the Philippines dependent exclusively on Filipino labor. The 9,500,000 acres of cultivated land in the Philippines, which has a population of 12,350,000, depends on 1,383,500 men agricultural laborers, or an average of 7 acres per man. Even with the use of agricultural machinery becoming more general, increase in production would be but negligible. Of the total acreage under cultivation, only 586,000 acres are planted to sugar cane, the remainder to rice, coconut, hemp, tobacco, corn. The insufficient labor supply does not permit increase in one crop without corresponding decrease in the acreage of the others, which is very unlikely.

2. LIMITED CANE AREAS

The sugar industry in the Philippines is being carried on in sections of the country which have been devoted to cane production for more than a century. Experience has shown that only in these sections has any attempt to extend cane areas been profitable. The experience of the Mindoro Sugar Co., with a big outlay of American capital and expert management, which has undertaken to produce cane outside of the areas previously planted to that crop, shows beyond any doubt the improbability of increasing production in this manner. The result has been such a complete failure that it is almost certain that no other attempt along this line will be made.

Any substantial increase in the area of cane cultivation by resorting to public lands would likewise be impracticable, considering the restrictive provisions of the land laws enacted by Congress for the Philippines limiting to 2,500 acres the amount of public land which a corporation may acquire or hold.

3. SOIL AND CLIMATIC CONDITIONS

While Cuba and Java with uniform latitude can grow sugar cane in most of their acreage, the Philippines is far from being under such

favorable conditions. The Philippine Archipelago, occupying 17° of latitude, has such a variety of climatic conditions in the different sections that the growing of cane is possible only in certain localities. Ratooning in Cuba is universal and may be carried on for years. This is not the case in the Philippines, where ratooning can not be generally practiced.

4. LACK OF CAPITAL

Capital has never been abundant in the islands. The amount invested in the Philippine sugar industry is approximately $175,000,000, with an annual production of around 600,000 tons. To produce the 5,000,000 tons of sugar, which has been predicted by a few overoptimists, would require an investment of not less than $1,500,000,000. This enormous capital is beyond Philippine possibilities. In spite of the encouragement of the Federal as well as the Philippine Governments, very little outside capital has come to the islands, due principally to the unsettled political status and the existing restrictive land and corporation laws. Moreover, the present agitation to restrict Philippine free-sugar importation into the United States has already discouraged further investments of capital in the Philippines.

A few years ago when the price of sugar was around 5 cents per pound, which is over 1¼ cents higher than the current price, a New York concern sent representatives to the islands to negotiate the purchase of certain centrals. Even under such favorable conditions, these gentlemen offered only 25 cents for every dollar invested in the properties.

The foregoing leads to the conclusion that if any increase in the production of sugar in the Philippines is to occur at all, the same will necessarily have to be limited, slow, and gradual. Any assertion to the effect that the Philippine sugar industry will in a few years approximate the rapid increase attained in Cuba is without foundation. In 1895 the Philippines exported 336,075 tons of sugar. All this quantity was produced by primitive mills, at best extracting only 55 per cent of the juice. In 1927 the exports were 544,579 tons. If it is considered that the 1927 production was mostly from modern centrals employing efficient cane-crushing machinery extracting 92 per cent, besides fertilizers, and better methods of cultivation, the increase of 1927 over 1895 is nothing to enthuse over. As a matter of fact, the increase in acreage during this period of 30 years has not been over 15 per cent.

Some publications take the figures of sugar exports from the Philippine Islands just following the implantation of American sovereignty as a basis for comparison with present production so as to show an enormous increase of 1,000 per cent (from 64,000 to 700,000 tons). It is evident that this comparison is misleading, not only because production then was undoubtedly more than the sugar exports, but also because of the well-known fact that for more than 10 years after 1896 the Philippines was the scene of several wars, revolutions, and disturbances of public order which had almost totally paralyzed the sugar industry. It was not until 1910 that the industry entered a period of decided recovery and only in 1922 did the islands reach the peak of production in Spanish times. These facts conclusively show that the increase in total output from 1895 to the present time has been normal, resulting from improved methods of cane culture and milling, and brought about in the same sections which have been devoted to cane production since Spanish domination, without an appreciable increase in acreage.

It has also been asserted that the Philippine sugar industry is controlled by Spaniards. Nothing could be further from the truth. Capital invested in sugar mills is as follows: American-Filipino, 76 per cent; Spanish, 23 per cent; cosmopolitan, 1 per cent. The nationality of the sugar-cane producers is as follows: American-Filipino, 93 per cent; Spanish, 7 per cent. It may be stated that the Spanish interests now engaged in the sugar industry have been so engaged in the Philippines for many years before American sovereignty.

The amount of Philippine sugar consumed in the United States in 1928 was 476,071 tons. This represents only 8.59 per cent of the total sugar consumption of the United States. Any increase in the Philippine production that may be marketed here in the future, which, as above set forth, will be comparatively small, will be easily absorbed by the expected normal increase in consumption of the United States.

Mr. MICHENER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. MICHENER. Mr. Chairman and members of the committee, I do not pose as an expert on alcohol. I know nothing about the manufacture of alcohol, but I have given some little attention to the matter now before the committee. We have all listened with much interest to-day to the argument of the gentleman from Illinois [Mr. WILLIAM E. HULL]. I think we have heard that same argument by Mr. HULL on several occasions. However, he never has heretofore applied that argument to blackstrap. He has applied that argument to opening the distilleries of the country——

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. MICHENER. Yes.

Mr. WILLIAM E. HULL. I want you to show one place where I have ever asked for the opening of the distilleries of the country on prohibition or anything else. I deny it and it is not true.

Mr. MICHENER. I think the RECORD, in anything I have said, will——

Mr. WILLIAM E. HULL. You have to back that up by the RECORD or else take it back. You have to do one thing or the other. I never made any such statement.

Mr. MICHENER. I yield no further at this time.

Mr. WILLIAM E. HULL. I want you to prove it. I am not going to let you put in the RECORD here that I ever tried to open the distilleries for prohibition or otherwise.

Mr. MICHENER. Mr. Chairman, do not take this out of my time.

Mr. WILLIAM E. HULL. I do not care out of whose time it is taken. You are not going to put that in the RECORD without proving it.

Mr. MICHENER. I will say this to the gentleman, if I have made any mistake in any statement in reference to the gentleman, then I apologize to the gentleman.

Mr. WILLIAM E. HULL. That is all right.

Mr. MICHENER. I have no hesitancy in doing that. I think the Members of this House know very well that I would not attribute to any man a statement which I did not believe that man had made. [Applause.] I did not mean to reflect on the gentleman from Illinois [Mr. WILLIAM E. HULL]. Mr. HULL told us the other day that he had been in the distilling business for 27 years; that he knew all about the business and that no one could tell him anything about the business.

Mr. WILLIAM E. HULL. And I still say that, but I did not say what you said at any time.

Mr. MICHENER. Now, getting back to where I wanted to get——

Mr. WILLIAM E. HULL. The gentleman can not get by with that.

Mr. MICHENER. If the gentleman wants something further——

Mr. WILLIAM E. HULL. Go to it. I am here to take care of myself.

The CHAIRMAN. The gentleman from Illinois must not interrupt the gentleman without addressing the Chair.

Mr. MICHENER. The gentleman insists that a duty of 8 cents on blackstrap molasses will help the farmer. Now, I am for 8 cents on blackstrap molasses; I am for 10 cents on blackstrap molasses; I am for any reasonable amount on blackstrap molasses that will help the farmer; but I say to you, gentlemen, that 8 cents will not help the farmer. Why? For one reason, the industrial alcohol of the future will never be made out of corn that is raised profitably by the farmer. You can not make industrial alcohol, Mr. HULL, out of 50-cent or 70-cent or 90-cent corn, and you can not raise corn profitably to the farmer for less than those figures.

Mr. WILLIAM E. HULL rose.

Mr. MICHENER. I do not yield now.

Oh, my friend has said something about soft corn. Yes; there is some soft corn, but any business man knows, and Mr. HULL knows that you are not going to be able to maintain distilleries for the purpose of using soft corn, and therefore you have got to use some good corn. We do have some frosts and we do have some failures and we do have some soft corn, but, gentlemen, is there a business man here who thinks for a minute that we can maintain a distillery for that purpose. He said that this will open the distilleries, and he also stated on the floor here the other day that this great trust or combination of distilleries of which he talks owns the distilleries to-day in this country. Did he not say that? He will not deny that. He tells us that this octopus, this trust, has bought up these distilleries, that they own them to-day, and that they own the foreign supply of blackstrap; that they own every place in this country where ethyl alcohol is manufactured to-day, and then he tells you to put a duty of 8 cents on this product which is manufactured in this country wholly by this trust, which is shipped in wholly by this trust, and that it will help the farmer. Why, I can hardly conceive of such logic.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MICHENER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Well, you might say we could build new distilleries if these people own them and do not want to open

them, but there is not a man here who would say that with the conditions in American to-day in reference to prohibition and with the conditions in reference to synthetic alcohol, that capital could be induced to go out into the West and build and open up distilleries. There is nothing to it.

Then the next thing—and I must hurry along—is synthetic alcohol. I am willing to predict, gentlemen, and I make this prediction based upon information from the best chemists of the country, that within the next 2 or 3 years—5 years at the limit—the industrial alcohol of America will be synthetic alcohol.

Why, listen: To-day down here in the State of West Virginia a great chemical company has a permit from the Prohibition Unit for the purpose of experimenting upon the manufacture of commercial synthetic alcohol, and we will know in 30 days what can be done. Therefore if we allow this rate, what happens? We are going to simply put 8 cents on the consumers, and let us not forget the consumers. Remember that there were 40,000,000 gallons of industrial alcohol used last year in antifreeze solutions alone; and what does this mean? This means $9,600,000 which you are putting on the backs of the consumers of antifreeze solution alone, without 1 cent of return to the farmer.

Mr. COLE and Mr. SCHAFER of Wisconsin rose.

Mr. MICHENER. I do not yield at this time.

Then, going a little farther with this same thought, something has been said about Mr. Ford. I am not representing Mr. Ford here. I do have respect for Mr. Ford's chemists, and is there a man in the House who has not? If there is a man here who has not respect for Henry Ford's chemists, if there is a man here who has not respect for the disinterested opinion of these chemists, then I want to see him; and when these people say to us that this thing is going to happen and that synthetic alcohol is going to be manufactured for commercial purposes if this rate goes on, I believe it.

An addition of 24 cents a gallon on every single gallon of industrial alcohol used in this country is what it will mean, and this will mean $22,320,000 additional cost next year to the users of industrial alcohol, and not one cent will inure to the benefit of the corn farmer unless new distilleries are opened.

Mr. COLE. Will the gentleman yield now for a question?

Mr. MICHENER. Yes.

Mr. COLE. How much did we add yesterday to the cost of sugar that will have to be paid by the consumers of this country?

Mr. MICHENER. Oh, yes; you get back to sugar, but thank God, we raise sugar here in America, and the rate adopted will help the farm. On yesterday we raised the rate on sugar and no one contends that the increase will not benefit the farmer, but if you vote for this thing to-day you are voting for a thing which if you have studied you know can not help the corn grower in the end. [Applause.]

The distilleries now making alcohol out of blackstrap molasses are at or near Boston, New York, Philadelphia, Baltimore, New Orleans, and San Francisco, as I am informed by the chief chemist from the Tariff Commission. Two plants, one at Peoria, Ill., the home of the gentleman from Illinois [Mr. WILLIAM E. HULL], and the other at Terre Haute, Ind., manufacture butyl alcohol from corn. No one contends that these distilleries near the Corn Belt could come anywhere near consuming corn enough from the Corn Belt to furnish the industrial alcohol of the country, and the same authority advises me that the freight on corn from Iowa to New York is 27.5 cents per bushel, the freight on corn from Iowa to the west coast is 42.5 per bushel, and from Cairo, Ill., to New Orleans—by water—is 11.4 cents a bushel. In other words, the freight cost on corn allowed for plants located at New York is about 10 cents per gallon of alcohol produced, and in the case of plants at New Orleans about 4.6 cents per gallon. Additional plants would be necessary in the Corn Belt with an investment of about $30,000,000.

In conclusion, let us not forget that synthetic alcohol can be manufactured from natural gas, calcium carbide, and ethylene from blast furnaces. That synthetic alcohol has been manufactured in Germany since 1921, one plant having a capacity of one-half million gallons per year, and this is only one plant. The cost of production of synthetic alcohol in England in 1922 was 30 cents per gallon, and the chemist of the Tariff Commission advises that while the domestic costs of synthetic alcohol are not positively known, yet the estimate indicates a cost of 35 cents per gallon; which, of course, will be materially reduced if this country goes into the manufacture of synthetic alcohol. If these conclusions are correct, then the 24 cents per gallon added to the cost of industrial alcohol in this country would go directly into the coffers of the blackstrap "trust," to which the gentleman from Illinois [Mr. WILLIAM E. HULL] has referred. Or if, on the other hand, synthetic alcohol should be developed by the steel companies and the chemical companies of the country this 24 cents per gallon, or such part thereof as a combination of these manufacturers might determine, would go into the coffers of these manufacturers, and again I say that not one penny would go into the pockets of the corn grower.

I can well see where it might be well to place a high tariff on blackstrap, if that in itself would develop cheap synthetic alcohol. In this case the benefit would inure to the user of the commodity, but would in no way help the corn grower. I think we all appreciate, however, that this synthetic alcohol would very often be a by-product, and past experience should teach us that the few manufacturers of the commodity would not destroy each other by competition, but that the cost of production abroad, plus the tariff, would in the end be the price paid for the product.

In conclusion, let us not do a foolish thing in the name of the farmer. We are anxions to help him. It is substance and not form that we seek. It is relief and not additional cost of living that he must have, and while placing a tariff on blackstrap molasses may sound seductive, yet I am convinced that the result in the end would be disastrous.

Mr. CHINDBLOM. Mr. Chairman, the Committee on Ways and Means went up and down the hill and back again on this question. We discussed it from every angle, we considered it from every possible viewpoint. We had in mind the welfare of the entire country, not only with reference to the use and consumption of corn, but the welfare of the country with reference to our industries and consumers as well.

The committee came to the unanimous conclusion, I think, that the rate proposed in the bill, and which is sought to be stricken out, charging 2 cents a gallon—or 2.19 cents, I think, to be accurate—would be of no benefit to agriculture, and that it would be of much harm to industry. Therefore the committee had the courage to present here to the House and this Committee of the Whole an amendment eliminating that provision.

We have had many contests about this bill, and I want to say something to my own party associates in this connection. We have had conferences about the bill, we have reached unanimity on it; many of us have foregone many things we do not like in this bill; many of us have voted for rates for the benefit of agriculture that are going to be very distasteful, and even harmful, I will undertake to say, to the consumers whom we represent.

As I told you yesterday, I will accept all these agricultural proposals in the bill in the interest of agriculture. What I want you men from the agricultural States and the agricultural districts to understand is that we who represent manufacturers and consumers, the people who buy the products of the farm, have some right to be heard here as well as the representatives of agriculture.

What are the facts about this matter? I will go as far as the gentleman from Michigan [Mr. MICHENER] and say that if I believed that this proposal for this enormous duty on blackstrap molasses would eventually benefit the corn farmer I would vote for it and tell the people who use industrial alcohol that they must stand the gaff and the loss that this proposal will bring for some time to come. But it is not going to benefit the corn farmer eventually.

Some of you laugh when we talk about synthetic alcohol; you think you are going to get a temporary benefit for the farmer. There are two domestic chemical firms which have perfected the process of manufacturing synthetic alcohol. As the gentleman from Michigan [Mr. MICHENER] said, there has been a permit issued by the Commissioner of Prohibition to the Carbon & Carbide Chemical Co., of Charleston, W. Va., to produce synthetic alcohol.

Synthetic alcohol was produced as far back as 1921 in Germany, when a plant was erected there with a capacity of one and one-half million gallons a year. There is another plant in upper Bavaria. The cost of producing synthetic alcohol in England—and they manufacture it there—in 1922 was reported to be about 30 cents a gallon. The domestic cost is not definitely known but is estimated at about 35 cents a gallon.

Now, what is industrial alcohol used for?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CHINDBLOM. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHINDBLOM. It has become one of the largest factors in our manufacturing industries. I will give you some of its uses. It is used as an antifreeze solution for automobiles. It is also used in the manufacture of cellulose, and you men representing the rayon industry will see that the proposed duty is a blow to the rayon industry.

It is used also in the manufacture of shellac and varnish. Do not the people who manufacture shellac and varnish have any rights? Have not they a right to be heard in industry?

It is also used in toilet and perfume preparations.

Now, as to the amount used in these various industries. In the antifreeze solution there are used 40,000,000 wine gallons. Cellulose nitrate, 25,000,000 wine gallons—that is in the rayon industry. Shellac and varnish, 8,000,000 gallons; toilet preparations, 5,000,000 gallons; miscellaneous, ten to fifteen million gallons. What does it propose to do if you adopt this rate—it is an increase of 4,800 per cent.

The people who are now manufacturing blackstrap molasses will be driven out of business.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. I am not yielding now. I am afraid I will not get time enough to yield. If I do, I shall yield later on. The people who produce blackstrap molasses to-day, who get it as a by-product in the States and in the Philippines and Porto Rico and Hawaii, will all of them lose the market for their blackstrap molasses.

Mr. COLE. We have lost the market for corn.

Mr. CHINDBLOM. But you are not going to substitute corn. If you were convinced that you are not going to get any benefit for corn, would you still ruin the blackstrap-molasses industry? I am convinced that by tearing down the blackstrap-molasses industry you are simply building up the synthetic-alcohol industry, because the men who have their money invested in the manufacture of alcohol from blackstrap molasses—and the investment is $55,000,000, if I recall correctly—will go to something else. We have permitted them to invest their money in these establishments under the present Fordney-McCumber Act, under the rate of duty which exists in the present bill. We have permitted and encouraged these people to invest their money in the manufacture of alcohol from blackstrap molasses. The world is constantly moving forward. We are not going to continue the manufacture of alcohol out of the most expensive materials out of which it may be produced. I do not know whether I stated the things out of which alcohol may be produced synthetically, but you will see how cheaply it can be produced. It is produced from natural gas, from calcium carbide, and ethylene from blast-furnace gas. Every steel mill in the country can furnish the raw material for the manufacture of synthetic alcohol, and when the producers of alcohol have been forced prematurely into the development of synthetic processes they will supplant corn and potatoes and blackstrap molasses and everything else in the manufacture of alcohol for industrial purposes.

Mr. WILLIAM E. HULL. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. In a moment. I hope this committee will move very slowly in the matter of destroying one industry in the hope of helping another.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOWARD. Mr. Chairman, I have hitherto stated that in my service here I sometimes trust my fellow men. I am following that rule now. I do not know anything more about blackstrap than a sheep knows about Sunday; but I do know the gentleman from Iowa [Mr. COLE], and he knows about blackstrap. He tells me that he is in favor of a plan which will increase the price of corn. I am interested in corn, both ways, so I am going to follow faithfully my cornfield friend from Iowa, if I can find just exactly where he wants to lead me. But particularly, for the benefit of all of my colleagues who have not discovered just how to secure the kind of legislation they need along tariff lines, I feel that at this moment I ought to draw your attention to a scene witnessed here some weeks ago, when the gentleman from Iowa [Mr. COLE] stood here making a splendid plea in behalf of the people he represents in his agricultural district. We heard him vehemently declare that he did not know what other gentlemen from the agricultural States intended to do, but that as for himself, in case the Ways and Means Committee did not give agriculture a square deal, he was ready to wreck the whole tariff machine. When he said that the gentleman from New York [Mr. SNELL], our present honored chairman, called him down, and he said, "Well, that may be a little bit harsh," and he thought he would take that out of the RECORD. I appealed to him that it was the best thing in his speech and asked him to leave it in the RECORD, and it is there now.

Here is what I want to bring to the attention of those of you who say you are unable to get just what you want in tariff legislation. Mr. COLE is going to get what he wants; the committee is going to do now just what he wants it to do. It reminds me of a scene in a courthouse town in the South. There was a gambling house frequented by colored gentlemen. One day in the corner of the gambling house, seated around a green-covered table, were five colored gentlemen. Two of them were professional gamblers and three of them were suckers. In breezes another colored gambler from another town. He was elaborately dressed. He put his thumbs in the armpits of his chromatic vest and began walking round the table where the two gamblers had three suckers, and he began singing:

I'se Captain Bray, from the county of Clay;
If you don't declare me in, I'll give the snap away.

Nobody said anything, and he walked around and began to sing again:

I'se done said I'se Captain Bray, of the county of Clay;
If you don't declare me in, I ain't goin' to sing no more.

By that time the boss gambler saw that the situation needed attention, and he rose and walked around so as not to disturb the innocents who were being plucked, and he began to sing:

Captain Bray, of the county of Clay,
Don't sing so loud and so long.
If you stop that song and go away,
You is declared in from this time on.

So I congratulate my friend the gentleman from Iowa [Mr. COLE] upon the evident fact that after singing that song some time ago, in which he said he would wreck the whole tariff scheme if he did not get what agriculture wanted, he is going to get just what he wants this morning with reference to blackstrap. [Applause and laughter.]

Mr. HUDSON. Mr. Chairman and ladies and gentlemen of the committee, probably there is no Member of this House who has voted more consistently and earnestly than I for every agricultural interest that has requested an increase in the tariff bill, and probably there is no Member who has any more reason than I not to do so. In every single city in my district there are from 20,000 to 150,000 working men whose activities are governed by time clocks in those cities, and yet I have sat here in the committee and appeared before the committee and pleaded for every single increase on agriculture that I thought agriculture could receive benefit from, and I have done that on the ground that agriculture needed help.

The gentleman from Illinois [Mr. WILLIAM E. HULL] a worthy colleague of mine on an important committee of this House, has stood before you to-day and made a plea for the pending amendment to the bill on the ground of its benefit to agriculture, and if he had proved his case I would be the first man to rise on my feet and second his motion. But he has not proved his case, and I say to you gentlemen on the other side of this aisle—who will be inclined to support that amendment for one of two reasons, one that probably you think in your cornfields you are going to receive an increase, and the other reason that you are throwing a monkey wrench into the bill—you are mistaken. If this amendment is adopted we might as well send the bill back to the committee and have the committee work this bill over.

There are multitudes of articles involved in the bill that are based on industrial alcohol. Every member of this committee knows that, and when you make an increase of such sweeping effect in one item you have got to go back and change the schedules on perhaps 101 other things that enter into the consumption and daily life of the people of this country.

Let me say this to you gentlemen from the Southland: I was down in Florida, and I say to the gentleman from Florida [Mr. GREEN] I saw the magnificent plants there making celotex from your waste cane fiber. You have got to say to your people that you voted against their further operation if you vote for this increase. You gentlemen of Virginia and Tennessee, you have got to go to your rayon-silk mills and say you voted against their interests.

You gentlemen from the Corn Belt brought before us the other day an agricultural paper printed upon cornstalks. Do you want to strike a blow at that industry, made of cornstalks, now hoping to use your waste products? These distilleries, erected at a cost of $55,000,000, use only a waste product and thus produce industrial alcohol at 12 cents per gallon, can use all the waste products. There is scarcely a great industrial concern to-day that can exist except as they are constantly having their scientists and engineers develop ways of using what would otherwise be the waste materials of their plants, which are in many instances their only source of profit. You will have to realize that when you strike down this industry you are striking down also the only industry that is producing potash.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HUDSON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Chairman, will the gentleman yield there?

Mr. HUDSON. In a moment. I want to bring that back home to you. I have here in my folder a booklet from the Maryland Agricultural College showing the potential possibilities of the potash production of these plants, and I want to say to you that it is no insignificant thing, but a thing that you ought to take into serious consideration. The potential possibilities of potash from these plants are simply surprising to one who has not made a study of it. And later on I shall place in the revision of remarks the results of this investigation.

The gentleman from Oregon rose in his seat and said that if you pass this amendment you can produce a market for potatoes.

Do you corn farmers think you can compete with corn against potatoes in making ethyl alcohol? That gentleman was not talking in your behalf. The gentleman from Iowa the other day, I think, said that if we would put this tax on he was going to make this ethyl alcohol from 85-cent corn, but the gentleman from Illinois said 90-cent corn. Well, now, let us see what the prices are. He also said this molasses was a 7-cent product. Let us see where the prices are and then let us see whether you want to beat down the price of corn.

No. 3 corn—Chicago

1900	$0.36
1901	.43
1902	.62
1903	.47
1904	.49
1905	.48
1906	.44
1907	.50
1908	.68
1909	.65
1910	.59
1911	.53
1912	.71
1913	.53
1914	.70
1915	.70
1916	.79
1917	1.11
1918	1.65
1919	1.62
1920	1.59
1921	.62
1922	.55
1923	.73
1924	.88
1925	1.09
1926	.76
1927	.84
1928	.98
1929	.94

Blackstrap molasses

(Dollars per gallon in tank cars, yearly average, monthly prices)

Year:	
1920	0.1900
1921	.0477
1922	.0377
1923	.0765
1924	.1256
1925	.1140
1926	.0659
1927	.0744
1928	.1100

In 1924 corn was 88; in 1925, $1.09; in 1927, 84; in 1928, 98; and in 1929, 94. Do you want to beat down the price of your corn for the sake of opening a few ethyl grain alcohol distilleries? Look on the other side. In 1923 the price was 7 cents—and I am speaking about blackstrap molasses—in 1924, 12; in 1925, 11; in 1926, 6; and in 1927, 7.

Mr. WILLIAM E. HULL. What is it in 1929?

Mr. HUDSON. About 11 cents.

Mr. WILLIAM E. HULL. Twelve and a half to-day.

Mr. HUDSON. It may be to-day, but I gave you the price for 1928. In 1928 it was 11 cents.

Mr. WILLIAM E. HULL. That makes it 88-cent corn.

Mr. HUDSON. I will be glad to yield the floor to the gentleman if he wishes it.

The CHAIRMAN. The gentleman from Illinois must not interrupt the speaker.

Mr. HUDSON. I did not interrupt the speaker when he was speaking.

The CHAIRMAN. The gentleman is entitled to consideration, and the Chair will protect the Member who occupies the floor.

Mr. HUDSON. The gentleman, then, admits my statement, to compete you must hammer down the price of corn or drive the industry to synthetic alcohol.

Now, listen. For five and a half months a committee, the integrity of which and the intelligence of which no one will challenge, has been considering this proposition, and after that consideration they have brought in the result of their conclusions. Can we here in a few minutes brush aside all of those months of research and say they are wrong? The gentleman from Illinois in his speech of May 20 said:

> You can not scare me with your synthetic alcohol. That is nothing more than a hoax.

This synthetic hoax is now producing the following chemicals on a commercial scale: Motor fuels, dyes, ammonia, carbolic acid, acetic acid, camphor, artificial silk, and so forth. In Congressman HULL'S own district one of his own constituents is now, and has been for several years, manufacturing synthetically methanol—wood alcohol. This synthetic process by which methanol is produced is nothing more or less than the utilization of gases under high pressure, which by one more conversion step can be adapted to obtaining ethyl alcohol identical with that produced from corn and molasses. Ethyl alcohol is now being produced synthetically in Germany and England, and equipment is now being installed for its production in West Virginia by the Carbide & Carbon Chemical Corporation, which is now arranging for an increased output.

Experience gained by Representative HULL in distilling beverage spirits is of no value to-day. The legal manufacture of whisky stopped a decade ago. The development of synthesis as a commercial factor has been most pronounced during the past 10 years.

Mr. WILLIAM E. HULL. It is not alcohol.

Mr. HUDSON. No; but they are producing it synthetically. Is that bunk? Of course, it is not bunk, and he knows it is not bunk. You raise the price, as you will raise it by this amendment, and you will not produce one additional gallon of grain ethyl alcohol; you will do away with the use of a waste product and you will have synthetic processes all over the country.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. HUDSON. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for three additional minutes. Is there objection?

Mr. WILLIAM E. HULL. I reserve the right to object, because the gentleman will not allow anyone to ask him any questions.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDSON. As I stated to you, we have the great automobile industries that are manufacturing and using industrial alcohol in all of these products. In addition to that we have, as the gentleman from Illinois [Mr. CHINDBLOM] said, the paint, varnish, and kindred industries using it. But, listen, if you pass this bill you have laid an additional burden upon every hospital and upon every industry making medicines in this country.

Mr. WYANT. Will the gentleman yield?

Mr. HUDSON. I would like the gentleman to get his own time, because it is so hard for me to get time. The gentleman knows the temper of the committee.

Mr. WYANT. We have been extending the gentleman's time from time to time without objection, and I think he ought to yield for a fair question.

Mr. HUDSON. I will yield to the gentleman.

Mr. WYANT. What percentage of the total alcohol used in the United States is produced from blackstrap?

Mr. HUDSON. Probably slightly more than 200,000,000 gallons are produced from blackstrap, a waste material. If you use the material that is in the market for other purposes, you simply are not going to have only 36-cent alcohol but you have destroyed the blackstrap distilleries—a $55,000,000 loss—and you will not have raised the price of corn but you will have 45 to 50 cent alcohol, and you know it. Then you will have destroyed every grain-alcohol distillery in the country by overtaxation, for they will be supplanted by synthetic-process distilleries.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. HUDSON. Yes.

Mr. WILLIAM E. HULL. The gentleman spoke about the Solvents Co. The Solvents Co. grinds 8,000,000 bushels of corn and makes butyl alcohol and does not make alcohol at all, and that is what you are using for paint. That is what your Duco paint is made of.

Mr. HUDSON. Your company makes synthetic alcohol?

Mr. WILLIAM E. HULL. No; they do not.

Mr. HUDSON. An increase of 8 cents per gallon on molasses would raise the raw-material price of alcohol 24 cents. It would be impossible to hold the antifreeze market if motorists had to pay almost $10,000,000 more per year for their alcohol. For chemical manufacturing other solvents, most of them produced synthetically, as, for example, by a large plant in Congressman HULL's district, would be given a decided advantage. This would mean a loss in markets on the part of ethyl alcohol, a substitution at higher cost of competitive materials. Not one additional bushel of corn would be used for distillation purposes.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. HUDSON. Yes.

Mr. COCHRAN of Missouri. I have letters and telegrams from the largest chemical company in the world, the Mallinckrodt Chemical Co., which is located in my district, saying that if you raise this rate, as the pending amendment proposes, they will absolutely have to have additional relief on many items in the bill that will be affected by the great increase that will follow in the price of alcohol.

Mr. HUDSON. I think the gentleman is absolutely right, and let me emphasize the statement he has just called attention to, that if you pass this proposed amendment, you have got to go back and rewrite the bill, and I do not think there is a member of the committee who will not bear out that statement.

There are 101 related items in the bill, and if you do not do it the Senate will have to. You could not go on with the bill as it is written.

Mr. CLANCY. Mr. Chairman, ladies and gentlemen of the Committee, if you yield to this request of the gentleman from Illinois [Mr. WILLIAM E. HULL] to increase the duty on blackstrap molasses 4,800 per cent, you increase the bill of the 23,000,000 automobile users and owners in the United States over $10,000,000 per year on antifreeze alcohol alone.

Henry Ford has already stated to the committee that it will cost him $1,000,000 a year on his product for paints, lacquers, and varnishes. The other automobile manufacturers will suffer accordingly. Everybody who uses drugs and medicines will have to pay a part of this increase, and the same thing is true with respect to paints, oil, and varnishes. Their increased bill will run into millions.

THE CITY CONSUMER

Sixty per cent of the people of the United States live in the cities, and these people are going to pay a tremendously increased cost of living on the schedules already raised by this bill, outside of blackstrap molasses and industrial alcohol.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CLANCY. I regret I can not yield now. The gentleman from Wisconsin can speak later.

If you increase the cost of living to them along these lines, you will hear from druggists, from hospitals, from doctors, from automobile associations, from hardware stores, from paint, oil, and varnish dealers, and so forth.

You will add to the hue and cry raised against this bill by practically every city newspaper in the United States, and you are going to make it increasingly difficult for me and other city Members to vote for the bill, and you are going to make it even harder for the President of the United States not to veto the bill.

KIDDED BY EXPERTS

I am willing to concede to the gentleman from Illinois [Mr. WILLIAM E. HULL] his opinion that he is an expert on alcohol, but why are not the members of the Ways and Means Committee also experts on this question? They have had testimony for years from all sides. The gentleman came in asking a rate of 8 cents, and he and his friends were heard for weeks asking for this 4,800 per cent increase. They refused to give it to him. He was just as insistent and just as emphatic before them as he has been here to-day.

Is Dr. James M. Doran, Chief of the Prohibition Bureau, an expert on alcohol? He is generally conceded to be such on industrial alcohol by both the wets and the drys, and he says that this will lead to the manufacture of synthetic alcohol and will not help the corn growers. Dr. Warren N. Watson, who is an expert whose word is taken by the American Chemical Association, a highly ethical group, 100 per cent, whose integrity has never been attacked, comes out flatly in opposition to the 2-cent increase. Doctor Watson is chief of the Chemical Division of the United States Tariff Commission.

THE TARIFF EXPERT OPPOSES

My friend, the gentleman from Iowa [Mr. RAMSEYER], when it was called to the attention of the House that this chief of the Chemical Division of the Tariff Commission was opposed to this increase, said, "But that is not the word of the Tariff Commission." No; but it is even stronger than the word of the Tariff Commission, because some of us believe the tariff commissioners might sometimes be "politicians," but none of us believes that Doctor Watson is a politician, and we know that he is a scientist.

If you are going to appeal from all these experts, raise the cry that the farmers demand it, and put it over, you are going to make it exceedingly difficult to retain what you have in this bill. If you are that greedy and that selfish—if you overturn the trough by too much haste and too much eagerness to wallow in it, then your whole cause is in danger.

DOCTOR DORAN ON ALCOHOL

Here in my hand is a little statement from Doctor Doran, prepared this morning, to the effect that the Carbon & Carbide Chemicals Corporation, which is a subsidiary of the Union Carbon Co. of New York, is operating an experimental plant on the synthetic production of ethyl alcohol at Charleston, W. Va., and they are preparing to enlarge their operations greatly.

We have heard to-day about this alleged blackstrap molasses trust, but one of the most undoubted trusts in the world is the great German cartel, the Interessen Gemeinschaft, and this chemical trust has turned over its patents for making synthetic alcohol to the Union Carbon Co.

SYNTHETIC ALCOHOL

Dr. James M. Doran, Chief of the Prohibition Bureau, says that production of synthetic alcohol is an established industry and that big-scale production is beginning in the United States.

This statement is in accord with the belief of big business men of the United States operating particularly in the automobile, drug, paint, oil, and varnish fields. Doctor Doran says that just within the last few days the president of the Union Carbon Co. of West Virginia has been in his office and has asked him for considerable extension of permits for the manufacture of synthetic alcohol.

The Union Carbon Co. is working with the use of the celebrated German patents of one of the most powerful cartels or trusts in the world, the Interessen Gemeinschaft, Germany.

In the district of Congressman WILLLIAM E. HULL synthetic alcohol is being produced from a coal by-product, namely, water gas and large quantities of methanol, namely, wood alcohol are being derived from carbon monoxide and hydrogen.

Doctor Doran furnished me to-day a memorandum re synthetic production of ethyl alcohol.. It is as follows:

The Carbon & Carbide Chemicals Corporation, which is a subsidiary of the Union Carbon Co. of New York, has operated an experimental plant on the synthetic production of ethyl alcohol from ethylene gas at South Charleston, W. Va. They are preparing to enlarge the operation greatly. There is no question about the technical success of the process. This same process was employed in Switzerland during the World War and is based on sound chemical principles. The supply of ethylene gas in only limited by the supply of petroleum, natural gas, and soft coal. The last 10 years has seen a great development in synthetic production of the alcohols and even gasoline by new developments of high-pressure apparatus and bringing about reaction by means of catalysts. None of these processes employ grain or other carbohydrates, and future production will undoubtedly run to the synthetic processes.

Mr. HULL, in his speech of May 20, said:

You can not scare me with your synthetic alcohol. That is nothing more than a hoax.

This synthetic "hoax" is now producing the following chemicals on a commercial scale: Motor fuels, dyes, ammonia, carbolic acid, acetic acid, camphor, artificial silk, etc. In Congressman HULL's own district one of his own constituents is now, and has been for several years, manufacturing synthetically methanol—wood alcohol. This synthetic process by which methanol is produced is nothing more or less than the utilization of gases under high pressure, which by one more conversion step can be adapted to obtaining ethyl alcohol identical with that produced from corn and molasses. Ethyl alcohol is now being produced synthetically in Germany and England, and equipment is now being installed for its production in West Virginia by the Carbide & Carbon Chemical Corporation, which is now arranging for an increased output.

CORN PRICES

What are the corn prices contemplated by the advocates of a high molasses duty?

Congressman COLE, in a letter to Congressman TIMBERLAKE, March 28, 1929, says that corn should be figured at 85 cents or 90 cents a bushel. Congressman HULL, in a speech before the House on May 20, argued on a 90-cent basis.

Contrast these figures with to-day's market quotations.

Is Congressman HULL going to beat down the price of corn in order to make alcohol out of it?

An increase of 8 cents per gallon on molasses would raise the raw material price of alcohol 24 cents. It would be impossible to hold the antifreeze market if motorists had to pay almost $10,000,000 more per year for their alcohol. For chemical manufacturing, other solvents, most of them produced synthetically, as, for example, by a large plant in Congressman HULL's district, would be given a decided advantage. This would mean a loss in markets on the part of ethyl alcohol, a substitution at higher cost of competitive materials. Not one additional bushel of corn would be used for distillation purposes.

On May 21, 1929, I put in the CONGRESSIONAL RECORD an abbreviated argument by Doctor Watson, of the Tariff Commission, against the proposed tariff on blackstrap molasses.

I now insert Doctor Watson's further tables and arguments, as follows:

Cost of ethyl alcohol production per wine gallon

	Corn (94 cents per bushel)	Corn (83¾ cents per bushel)	Molasses (9.5 cents per gallon)	Molasses (6.5 cents per gallon)
Raw materials:				
Corn	$0.3670	$0.3280		
Molasses			$0.2565	$0.1755
Barley and chemicals	.0501	.0501	.0050	.0050
Total raw materials	.4171	.3781	.2615	.1805
Conversion cost [1]	.1054	.1054	.0700	.0700
	.5225	.4835	.3315	.2505
Credit by-products	.1155	.1155		
Net cost per wine gallon	.4070	.3680	.3315	.2505

[1] Includes total factory expense, insurance, depreciation, and overhead, but does not include selling expense, cost of denaturization, which amounts to about 2½ cents a gallon for completely denatured formula.

No. 3 corn—Chicago—Prices

1900	$0.36
1901	.43
1902	.62
1903	.47
1904	.49
1905	.48
1906	.44
1907	.50
1908	.68
1909	.65
1910	.59
1911	.53
1912	.71
1913	.53
1914	.70
1915	.70
1916	.79
1917	1.11
1918	1.63
1919	1.62
1920	1.59
1921	.62
1922	.55
1923	.73
1924	.88
1925	1.09
1926	.76
1927	.84
1928	.98
1929	.94

Blackstrap molasses

(Dollars per gallon in tank cars, yearly average, monthly prices)

Year:	
1920	0.1900
1921	.0477
1922	.0377
1923	.0785
1924	.1256
1925	.1140
1926	.0659
1927	.0744
1928	.0844
1929	.1125

LOCATION OF PLANTS

The molasses-alcohol plants are located on the coast; the principal plants are at or near Boston, New York, Philadelphia, Baltimore, New Orleans, and San Francisco.

The four leading States producing alcohol from molasses, in order of their importance, follow: Louisiana, Maryland, Pennsylvania, and New Jersey. The molasses-alcohol industry is equipped, organized, and located for the use of molasses as a raw material for the manufacture of alcohol. The three large grain-alcohol plants now operating are located at Pekin, Ill., Laurenceburg, Ind., and Cincinnati, Ohio. The annual grain-alcohol capacity of these three plants is about 15,000,000 wine gallons, equivalent to about 6,250,000 bushels of corn per year. The production of these plants is estimated at less than 5,000,000 gallons per year, eqivalent to about 2,800,000 bushels of corn. In addition there is one idle plant at Peoria with a reported capacity of about 4,000,000 wine gallons.

Two plants—one at Peoria, Ill., and the other at Terre Haute, Ind.—manufacture butyl alcohol from corn. Each bushel of corn yields about 10 pounds of solvents, namely, butyl alcohol, acetone, and ethyl alcohol, in the ratio 6:3:1. The Commercial Solvents Co. reports a consumption in the calendar year of 1928 of about 8,000,000 bushels for this purpose.

DENATURED-ALCOHOL PRODUCTION

Fiscal year:	Wine gallons
1907	1,780,276
1908	3,321,451
1909	4,556,418
1910	6,079,027
1911	6,881,129
1912	8,094,515
1922	33,345,747
1923	57,565,142
1924	67,687,295
1925	81,808,273
1926	105,375,886
1927	95,448,676
1928	92,418,025

COST OF PRODUCTION

In commercial practice 1 bushel of corn yields about 2.4 wine gallons of alcohol, and 2.7 gallons of blackstrap molasses yields about 1 wine gallon of alcohol. In other words, 1 bushel of corn is equivalent to nearly 6½ gallons of blackstrap molasses.

The conversion cost of alcohol made from corn is about 3 to 5 cents more per gallon than from molasses. An approximate total conversion cost for molasses to alcohol is 10 cents per gallon of alcohol and for corn 15 cents per gallon of alcohol. In the case of corn, the by-products constitute an important credit which is discussed later. Production costs for large plants, either corn or molasses—alcohol plants—running at or near capacity is less than the above figures. The table shows the cost of producing alcohol from corn and from molasses for large plants at or near capacity operation. These costs would be considerably increased when the operation is at 50 per cent capacity, and furthermore the costs for small plants would be more than the costs shown in the table following. In the manufacture of alcohol from corn the by-products are of high value and include distillers' grains, a valuable cattle food, which has sold in recent years for $35 to $45 per ton, or on an average of about 2 cents per pound. Each bushel of corn gives about 12½ pounds of distillers' grains. In addition, fusel oil is another by-product of small importance, and in certain cases corn oil and corn oil meal. The credit for by-products amounts to about one-fifth of the gross cost and for capacity operation may exceed the conversion cost. It is estimated that if all the alcohol produced in America was made from corn, that the production of distillers' grains would amount to from 225,000 to 250,000 tons. It is problematical whether with this increased output the price of distillers' grains would stay at the present levels of about 2 cents per pound. If this price should decline, it would be reflected in an increased cost of production of alcohol from corn.

CONCLUSION

I have quoted from these authorities and made my argument in detail for the general use of Congressmen and Senators in considering legislation and for the consideration of users and manufacturers of alcohol. To the fair and intelligent legislator the above remarks constitute an unanswerable argument against the proposed 4,800 per cent increase of tariff on blackstrap molasses.

Mr. PATTERSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, ladies, and gentlemen of the committee, I have been very much interested in the debate that has gone on on this portion of Schedule 5. I was very much interested in the statement of the gentleman from Colorado [Mr. TIMBERLAKE], who is one of the most lovable gentlemen I have ever known, when he quoted Mr. Ford as being a great patriotic man and also to the effect that he is opposed to this high duty on blackstrap molasses, because it would cost him $1,000,000 per year.

I may say that I am not an expert on alcohol in either way. One gentleman said that he was interested in it both ways. I am not an expert in its manufacture, but I believe we are having far too much of alcohol of some kinds made now, and I hope to see the time come when we shall have our efforts restricted more to the legal side of the business. I should like very much to see something done to help the corn growers if it can be done without working a hardship on the consumers of all these products which our people use. There have been some interesting statements made here. One of them is that the entire blackstrap industry is controlled by a tremendous trust and that they have increased the price from about 3½ cents per gallon to 12 cents, and this has not been contradicted. Another statement is the one which was made about Mr. Ford's patriotism, and I suppose no one would question that, but I wish to submit that the mil-

lions of our great common people who labor on farms, in mills, factories, or in mines, or wherever, are just as patriotic as Mr Ford and are just as entitled to be heard from on the floor of this House as he or any other man.

The statement has been made that this will increase the price of alcohol to the automobile owners. I do not believe that we should have any increase to the consumer, but I am just wondering that if there is not enough margin between the manufacturer and the consumer now, to where this increased cost could be absorbed. However, we should always consider the consumer and not raise his burdens, for he is certainly carrying more than his share now, as I see it, whether he works on a farm and buys manufactured articles or whether he works in some other line, for his burdens are increased all along the line.

I wish I might be able to speak with the voice of this great and substantial class of Americans whom I refer to as being as patriotic as Mr. Ford or anyone else, and those who are the backbone of the Republic, and not only by their toil have produced the wealth of our country but have come to the rescue of the Nation in every crisis. In the families of these men and women there are more than 100,000,000 of our population, for income-tax statistics show that there are not many more than about 15,000,000 of our people in the net-income class, and the rest of our population, amounting to a little more than 100,000,000, go almost without any net income. These are the producers of the farm products, the producers of the products of the mines and factories of our country, and those who toil both by brain and muscle, as they do in labor and in many of the professions as well as the trades, and they are entitled to be heard.

I feel that in connection with this entire Schedule No. 5 it would be well to open up the whole schedule and let us express ourselves on the sugar paragraph and see the sentiment of the House in connection with that schedule, which vitally affects every home in America and lays a very large tax on the average family each year, if this proposed schedule does what it is supposed to do with respect to raising the price of sugar, and we know that this increase is going to be passed on to the consumer.

Mr. WYANT. Will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. WYANT. We have heard a great deal of fuss about the great imposition placed on the consumers of alcohol if we place a tariff of 8 cents a gallon on blackstrap molasses. I am informed that the total revenue from this would be only $8,000,000. Is that correct?

Mr. PATTERSON. I do not know the amount of revenue.

Mr. HUDSON. What does the gentleman from Pennsylvania mean by "total revenue"?

Mr. WYANT. The total duty at 8 cents per gallon would amount to about $8,000,000.

Mr. HUDSON. They will not bring any in, so you would lose the $8,000,000.

Mr. WILLIAM E. HULL. Blackstrap came in last year to the amount of $17,000,000.

Mr. WYANT. The total burden imposed would amount to about $17,000,000.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. PATTERSON. Mr. Chairman, I ask to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PATTERSON. One speaker a moment ago said there would be $10,000,000 burden because the automobile would have to pay that, and that Henry Ford would have to pay $1,000,000. I make the point in the interest of the corn producers that Mr. Ford could well afford to pay the $1,000,000 much better than the consumer can afford to pay the annual increase for sugar. We know that sugar is one of the principal diets among those people who work in the mills and factories as well as on the farms, and they have to buy their sugar, which is a very important article.

Mr. HUDSON. If the gentleman will yield, let me say that Henry Ford is on record as saying that he would be glad to pay the $1,000,000 more if it would help the farmer.

Mr. COLE. Why not leave the farmers to be the judges of what the duty shall be?

Mr. PATTERSON. Yes; and let the men who represent the farmers speak for the farmers.

Mr. COLE. The gentleman from Michigan who voted to increase the duty on sugar is very solicitous about the consumers of industrial alcohol. Why not be solicitous about the consumers of sugar?

Mr. PATTERSON. I do not think we will have any opportunity to vote for that under the rule of the House.

My main reason for rising, ladies and gentlemen of the committee, is to reply to those who have been so solicitous about the attitude of some prominent American on this or that question and to speak humbly and as best I can in the interest of the many millions of Americans who toil daily and are as patriotic as any person who ever trod this soil; and yet they content themselves by their daily efforts in exerting their efforts in helping to produce the world's wealth and enjoy but little of the same. Yet when they come to their frugal meals they thank God for His goodness and ask His blessings upon the country and their Representatives. Fellow colleagues, I feel that this is a great challenge to us to be able to represent such a large number of patriotic, honest people as we do, and that we should try to speak their sentiment as best we can on these vital questions which affect them and their small earning power as the sugar schedule and other vital ones in this bill.

I do not pose as a free trader, and should like to see a tariff on products where it will give increased employment and increased index earnings to the worker and enable him to increase his standards of living, for I do not think there is any question of doubt that more than 50 per cent of our working people to-day are having to live with standards of living below that which enables them to have the ordinary comforts of life to which they are just as entitled as anyone else. And I wish to say now that I believe that we should hear this great class more in considering these schedules.

The distinguished gentleman from Oregon referred to the fact the other day that the reason certain people had failed to get what they asked that they had failed to make out their case. Now, is not it a fact that it is always hard for the worker on the farm, in industry, or in a large number of the professions, and even in our smaller business concerns to make out their case when they are in competition with these fellows who have the money and know men all over the country and are able to hire legal and technical experts to represent them. I ask you, my colleagues, what chance do the millions toiling daily out on their little farms, in their businesses, trades, professions, or labor have to make out a case before this Congress except by their votes when they trust us by electing us, and I submit to you, my fellow colleagues, as was said of old, I shall do my best always to make out his case as God will give me light to do it. I recognize that I have made mistakes at times, but then I shall go with a contrite heart to the great giver of every good and perfect gift for forgiveness and shall rise up again in defense of those who toil and pray for our guidance here, and that the Government will give him a square deal. God being my helper, I shall not need the man who trusts me to make out his case to me, but I shall try to make it out as best I can for him.

We can say what we may to-day about the industrialist. I would be as far from discrimination against him as any man in this House, but we owe a debt we can never pay to the many who humbly toils from day to day and pays his taxes, votes on election day, and goes himself or sends his sons to die for the flag and the honor of the country when a crisis comes. These men composed the main part of Washington's little band who marched from Bunker Hill, through Valley Forge, to Yorktown, as well as the main part of every other Army which has answered the call of this great Congress in times of its crises; and as was said by one of old, "Let my right hand forget its cunning ere I should need anyone to make out his case to me."

Mr. Chairman, in closing, may I say here now that I hope to see our entire country prosper from its northern to its southern boundary, and I do not wish to discriminate against any section, any State, or any town; for God who knows the secret and inmost recesses of my heart knows that I love every foot of her soil, regardless of the State which surrounds it and wields jurisdiction over it. And I feel that every State has been a blessing to the Republic, and each State, from the oldest to the youngest, from the largest to the smallest, and from the State smallest in population to the Empire State, has added its glory to the Union; and I wish I had the time to call the roll of what each State has contributed to the Union. Of course, I am sure I should have the indulgence of the House in beginning with Alabama, upon whose pine-clad hills I first opened my eyes when upon my mother's breast, but that is no reason why I love Pennsylvania, Nevada, or any State less.

I want to join with you, my fellow colleagues, from every State in developing this country, and I can say your section, but I want to do it without laying undue burdens upon my State or any other State. At the same time, I wish to see my State developed, whose resources rank second to none and whose people are as generous, as patriotic, as intelligent, and as indus-

trious as was ever created by the hand of Almighty God. I recognize that there have to be compromises, but it is my hope that in considering these we think of how it will affect those who toil and produce the world's wealth and at the same time lay down the implements of peaceful industry at a day's notice and gather to defend the honor of the flag and protect and defend the country with their blood for us and our posterity.

Mr. Chairman, this is the class of people I should like to speak for to-day in this House, if I could find words which were adequate, which I can not; but I will say that it is my hope that the Eternal and All-Wise Guide will enable me to consecrate my best to making out his case as best I can, even though he is absent when these things are considered. I am glad to be able to say that I have been impressed with the fine spirit and patriotism of every man and woman on the floor of this House, and I can say that I feel that every State in the Union can feel a just pride in the men and women who represent it in this Hall, and have been delighted time and again when I have seen the men from every State of the North rise above sectionalism when things were being considered which affected the particular section from which I hail, the same about the splendid men and women from my section. I am glad to live in a day when such a feeling is in our country, and I wish to thank you, everyone, in the name of our people where you have done this.

Let us to-day meet the challenge that we shall do our best to make out the case for the millions of toilers and consumers of this country and show that we recognize their contribution to the Republic, and thereby insure its blessings under God to us all and to our posterity. [Applause.]

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. LAGUARDIA. Reserving the right to object, I want to say that I have an amendment that I want to offer and be heard on.

Mr. LOZIER. Reserving the right to object, I want to be heard on this amendment.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. BOYLAN. I object. When we have a little chance to say something we ought not to be cut off. We are not numbered among the immortals, we are only the Tom, Dick, and Harrys [laughter], and Tom, Dick, and Harrys want to be heard now. I object.

Mr. HAWLEY. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Oregon moves that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. BOYLAN. Mr. Chairman, I move to amend that by making it one hour.

The CHAIRMAN. The gentleman from New York moves to amend by making it one hour. The question is on the amendment to the amendment offered by the gentleman from New York.

The question was taken, and on a division (demanded by Mr. BOYLAN) there were 9 ayes and 132 noes.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Oregon that all debate on the amendment and all amendments thereto close in 30 minutes.

The question was taken and the motion was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer a substitute for the committee amendment.

The Clerk read as follows:

Substitute for the committee amendment offered by Mr. LAGUARDIA: Page 105, line 8, strike out the figures "1.5625" and insert in lieu thereof "1.24"; line 12, after the semicolon, strike out the balance of the line and all of lines 13 to 17, inclusive; on page 106, line 7, strike out "$3" and insert "$1."

Mr. HAWLEY. Mr. Chairman, I make the point of order against the amendment.

Mr. LAGUARDIA. Mr. Chairman, I desire to be heard upon the amendment for a moment.

The CHAIRMAN. What is the point of order?

Mr. HAWLEY. The point of order is that the amendment proposed affects language in the bill not involved in any amendment heretofore pending before the committee on this subject. It affects a part of paragraph 501 not at all involved in any amendment before the committee, and is not germane to the subject matter.

The CHAIRMAN. The Chair is ready to rule.

Mr. LAGUARDIA. Mr. Chairman, I ask the indulgence of the Chair for a moment.

The CHAIRMAN. The Chair will be glad to hear the gentleman from New York.

Mr. LAGUARDIA. Mr. Chairman, my amendment, I concede, changes the proposed duty on sugar, and under the ordinary, normal rules of the House my amendment would be out of order at this time, but we are now operating under a special rule, the purpose and intent of which is that the Committee on Ways and Means only may originate amendments at any time to any section of the bill. That rule must be broadly interpretated and construed, because it is the only opportunity that the 435 Members of the House have to offer any amendment. The Committee on Ways and Means having such a preference, under the rule, has opened the door to any amendment under the sugar schedule. The special rule under which we are operating can not be as strictly construed as the ordinary usual rules of the House when operating under normal conditions. We are operating under extraordinary conditions, under a special rule. It was stated by the chairman of the Committee on Rules that the rule offered ample opportunity to protect every Member of the House in offering amendments to the committee amendment. I submit in all fairness, in all common sense, that it is necessary to construe this rule broadly and liberally, and that the committee, having opened the doors to the sugar schedule by offering an amendment to one of the sections in this schedule, I can now offer an amendment as a substitute for that amendment so as to bring the question of the sugar tariff squarely before the committee.

The CHAIRMAN (Mr. MICHENER). In the opinion of the Chair the amendment offered by the gentleman from New York [Mr. LAGUARDIA] is not in accord with the ruling made by Chairman Olmstead, which may be found in Volume V, section 5768, of Hinds' Precedents. Chairman Olmstead in effect ruled that when it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. Another objection that the Chair can see in the amendment offered by the gentleman from New York is that it is not germane to the committee amendment. The committee amendment affects only the blackstrap schedule. The amendment of the gentleman from New York affects the sugar schedule. For these reasons the Chair does not think the amendment to be in order and sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. Mr. Chairman, under the ruling of the Chair are we to understand that unless the committee offers an amendment specifically to the sugar schedule Members will not have an opportunity to offer an amendment to that schedule under the rule?

The CHAIRMAN. Those matters are in the discretion of the Committee on Ways and Means.

Mr. HALL of Illinois. Mr. Chairman, ladies, and gentlemen of the committee, I think this is the first alcoholic speech I ever made in my life, and perhaps it will be the last one—that is, a speech upon alcohol. I do not belong to any wrecking crew. I realize that in consideration of a bill of the magnitude of this bill everybody must give and take as they can, and I think the people from the corn States of this Nation have illustrated that fact in a magnificent manner in the consideration of this bill. [Applause.] We have received quite a good deal of consideration. The committee has done a pretty good job in framing this bill, but they have overlooked some things that we think are important to us and to our existence, and we think that it is perfectly proper that we should bring our ideas before the committee for their consideration. One of those things is blackstrap molasses. My friend Mr. HULL lives on the west bank of the Illinois River, and I live on the east bank. We raise corn over in our neighborhood, and in his neighborhood they make it into alcohol—or they used to. I am not in sympathy with distilleries for any purpose; but as between distilleries that make industrial alcohol to be used in the United States out of blackstrap molasses that is produced outside of the United States, and distilleries in the United States that produce industrial alcohol from corn that is raised within the United States, I am for the American distilleries every time. [Applause.]

We corn-fed farmers have stood for quite a little. We have swallowed more sugar than is good for our system, and we have used a little bit too much of the milk of human kindness on the question of shingles and other building material, but the corn industry, the farming industry, is sick. The Republican Party and the Democratic Party both promised to make it well so far as legislation could do so. Here is an opportunity before us to attempt to do that very thing. I think we ought to do it. Is there any question in your mind that if an 8-cent duty is put on blackstrap molasses 40,000,000 bushels of corn will have a local market, a home market? There is no doubt in my mind

about it. It may not be true, but I believe it is true, and if it is true, it eliminates 40,000,000 bushels from the surplus of our crops, the very thing that is striking at our vitals. Time was when the corn industry, the farming industry, was the aristocratic business of this country, and it was common to speak almost poetically of corn, the golden corn, within whose mighty heart is food for all the nations, but on account of things that have happened incident to the war and other matters that could not be helped, perhaps, our gold has turned to dross before our very eyes. I am not scared about the vanishing rights of the States, but I am concerned about the vanishing existence of the great basic industry, agriculture, in this country, and I think this committee and this Congress should do everything in their power to relieve the situation. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LOZIER. Mr. Chairman and ladies and gentlemen of the committee, just a few observations. I favor this amendment offered by the gentleman from Illinois [Mr. WILLIAM E. HULL] because I believe it would furnish an outlet for a very considerable quantity of corn produced in the Middle West. It would make a market for probably thirty or forty million bushels of corn. As long as the Government permits the manufacture of industrial alcohol, then, obviously it should be made out of American-grown farm products rather than from commodities grown or made overseas. Millions of gallons of denatured alcohol are used for industrial and other legitimate purposes, and by making it a by-product of corn we enlarge the market for corn to a very considerable extent. Probably three-fourths of the industrial alcohol made in the United States is manufactured from blackstrap, which is the very lowest grade of foreign molasses. I may add that under this amendment the duty on blackstrap used for feed is not increased over the present rate, so if this amendment is adopted the feeders will not have to pay more for their blackstrap used for feed. The amendment proposed by the gentleman from Illinois relates only to blackstrap used for distilling industrial alcohol.

Something has been said about a statement made by Mr. Henry Ford indicating his willingness to pay a million dollar tax on blackstrap if he could be convinced that this tariff on blackstrap would benefit the American farmers. The farmers have not asked Mr. Ford to pay anything for them, although they have contributed more than all other classes combined to his enrichment. All the American farmer wants is a square deal and equal opportunity, which he is not getting under the pending bill. I come from a constituency, State, and a section of this Nation that is largely agricultural. I confess that agriculture has been in dire distress for a number of years, and is drifting very rapidly toward bankruptcy. The ship of agriculture is liable to be broken at any time on the rock of insolvency. But notwithstanding his economic distress, the American farmer has still too much pride to solicit or accept any donations from Mr. Henry Ford or any other industrialist to pay their part of the taxes imposed by Congress on the American people for the support of our institutions. [Applause.]

Some day when I have time I am going to make some observations about the economic theories of one Henry Ford. I respect the gentleman. He is a great captain of industry, a matchless master of finance, and a leviathan in the world of business. I recently passed through his city of Detroit; I visited and was courteously shown through his great plant, which is a marvel of industrial efficiency. It was a pleasant and profitable visit; I appreciated the courtesies his representatives extended to me and others. While I cheerfully concede that he is near the head, if not at the head, of the long line of industrial giants that have flourished in this phenomenal age of industrialism, I am not prepared to admit that he is qualified to act as the tutor of Congress or formulate the legislative and economic policies of the American people.

Indeed, in many respects the views of this great motor master on economic policies are exceedingly crude, lopsided, and provincial. In the industrial world he brooks no equal and suffers no superior; but nevertheless he is not a safe counselor on legislative policies that directly or indirectly affect his pocketbook. Time will not permit extended observations in reference to Mr. Ford, but I do want to say that over the door housing the executive and administrative departments of the Ford Motor Co. are chiseled these words:

> Industrial application of inventive genius to the natural resources of the earth is the groundwork of prosperous civilization.

But I tell you, my colleagues, that motto is not sound. Mr. Ford has placed the cart before the horse. Our prosperous civilization is not the effect but the cause of the industrial application of inventive genius to the natural resources of the earth. Our civilization gave birth to and nurtured inventive genius and enabled our people to create an industrial world incomparably superior to that of any people and any age. Our civilization developed inventive genius and enabled the American people to create an industrial world that is the envy and admiration of mankind, and because of this civilization we are able to wisely use the natural resources of the earth.

If this inscription reflects the views of Mr. Ford, then I say he has an entirely erroneous conception of civilization. Instead of industrial application of inventive genius to the natural resources of the earth being the foundation or basis of our prosperous civilization, our civilization is the foundation or basis of productive industry and the compelling force that touches and transforms the natural resources of the earth into useful agencies and instrumentalities for the comfort and phenominal development of our people.

Our industries did not create our prosperous civilization, but our prosperous civilization incubated, nurtured, and brought to full fruition our prosperous industrial system. Our great industries are only one of the many accomplishments of our wonderful civilization that was not created alone by the present generation or age, but which is the legacy of the ages and very largely the product of the genius, fortitude, and sacrifice of that countless multitude of men and women who lived and labored in the past.

Now, I was much interested in the argument made a few minutes ago by the gentleman from Michigan [Mr. HUDSON]. He told us that industrial alcohol enters into the manufacture of a great many commodities and that these industries would be seriously affected if this duty is placed on blackstrap intended to be used for the distillation of industrial alcohol. He says, in substance, that the price of industrial alcohol would be substantially increased, and this would, of course, increase the cost of the articles in the manufacture of which industrial alcohol was used. He said that the interests of these users of industrial alcohol would be seriously affected and the price increased to such an extent that many of the tariff schedules written into this bill would have to be rewritten and the rates raised, because, he says, these schedules were established on the theory that there would be no increase in the tariff on blackstrap and therefore no increase on the cost of industrial alcohol.

The argument of the gentleman from Michigan [Mr. HUDSON] was free from sophistry and seemingly as guileless as that of Mr. Grundy. But by his argument he was upsetting the arguments of his party leaders to the effect that the imposition of high-tariff duties on articles entering into the manufacture of other articles does not increase the cost to the consumer of these manufactured articles. And the argument of the gentleman was entirely logical and unanswerable. But as I listened to this argument I recalled the position taken yesterday by the other gentleman from Michigan [Mr. KETCHAM], who took the position that by imposing high-tariff duties on iron, steel, copper, and other material used in making farm machinery the price of farm machinery would not be thereby increased.

Now, it is fundamental that if you increase the cost of material used in manufacturing an article, you automatically add to the cost of the manufactured articles. But my good friend from Michigan [Mr. KETCHAM] has been so badly blinded by the protective tariff headlight that he can not see straight or reason logically. Both of these distinguished gentlemen from Michigan are able men and it would seem that they would talk the same language, make the same argument, and have the same views as to the effect of high-tariff schedules. Methinks it might be well for the majority leader to hold a school of instruction and impress on these militant advocates of high-tariff taxes the importance of being consistent even if they are dead wrong in their support of this vicious measure.

The contradictory arguments of these two gentlemen remind me of an incident from the history of Phillip of Macedon. On one occasion when the King decided a controversy between two of his subjects, the losing suitor exclaimed, "Your Majesty, I appeal." "And to whom," said Phillip, "do you appeal?" To which the subject promptly replied, "I appeal from Phillip drunk to Phillip sober." So when the gentleman from Michigan [Mr. KETCHAM] goes on a political spree and becomes gentlemanly intoxicated on the rich red wine of high tariff and special privilege, I appeal to the gentleman from Michigan [Mr. HUDSON], whose argument and logic bespeak intellectual sobriety. [Applause.]

Mr. RAMSEYER. Mr. Chairman and Members of the House, I want to take a few minutes to explain just what the situation is and what is the issue before the Committee of the Whole on which you will be called to vote in a few minutes. A committee amendment is brought in to strike out the provision on the blackstrap, which is imported for the manufacture of indus-

trial alcohol. When the committee submits an amendment it opens it up to amendment.

Now, I do not disclose secrets out of school when I tell you that the committee moved forward and backward and sideways on this proposition more than on any other proposition that came before the committee, so that the conclusion of the committee to offer an amendment to any part of the bill does not necessarily mean the last word of human wisdom upon the subject. You are not under any moral obligation or political compulsion to follow anything but your own judgment on the matter now before you.

Now, to make it plain, the present law admits blackstrap at one-sixth of 1 cent per gallon. Some is mixed with cattle feed and some of it goes to the making of industrial alcohol. All comes in now at one-sixth of 1 cent a gallon. Under the provision before you the blackstrap that is to be mixed with cattle feed continues to come in at one-sixth of 1 cent per gallon. The committee reported a bill to tax blackstrap that comes in for alcoholic purposes at 2 cents a gallon. Then, after the bill was reported, the majority of the committee agreed to an amendment to strike out that provision, so as to give blackstrap for distilling purposes the same rate of duty as blackstrap that is mixed with cattle feed.

The gentleman from Colorado [Mr. TIMBERLAKE] offered that amendment. Pending that amendment, the gentleman from Illinois [Mr. WILLIAM E. HULL] presented an amendment to increase the duty on the blackstrap that comes in for alcoholic purposes to 8 cents.

That is the question that comes to you for determination in a few minutes. I discussed the blackstrap issue in my speech last week among other subjects that I explained to the committee, and undertook to give the facts to aid Members to arrive at correct conclusions.

Of course, this question, like every other question, has two sides to it. In the limited time I had I discussed this synthetic-alcohol scare. It may be a reality, but they are not making it anywhere yet industrially. They claim they have it worked out, but there is this to be said about it, that if the increase of duty on molasses is not going to bring corn in, it will at least give the synthetic-alcohol people an opportunity to come in with their goods, and instead of ruining the plant in West Virginia that the gentleman from Michigan referred to, it would aid that plant in the manufacture of synthetic alcohol. I do not know whether synthetic alcohol is a reality or not. We read of synthetic sugar, synthetic that, and synthetic this. We may have synthetic rubber and other synthetic goods, but the question now before you is, leaving out these speculative objections, whether you will vote here to aid corn on the one hand or Cuban molasses on the other hand. There is not a thing in this bill that is of any material value to corn. If this duty on blackstrap will let in corn, you will do something for corn by furnishing a market for from 35,000,000 to 40,000,000 bushels of additional corn. Now, it is up to your judgment. I hope you will look at it as one of the primary problems of farm relief. If you put this on and this plant in West Virginia in 30 days reports that synthetic alcohol is a reality, it can then be taken off in the Senate. This bill is going to receive consideration after it leaves the House. There will be committee hearings in the Senate; it will be considered for a month or two on the floor of the Senate, and then it will be in conference for another month or two. A vote for the Hull amendment is a vote for corn. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DICKINSON. Mr. Chairman——

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. DICKINSON. Mr. Chairman, one of the mistakes of the Fordney-McCumber tariff bill was in putting one-sixth of 1 cent per gallon on blackstrap molasses, because from that very day it started as a substitute for corn.

One of the questions involved here is whether or not you want to have the three or four distilleries that are out in the Mississippi Valley idle use a home product, produced by our own people, and sold in our own markets, or whether you want to keep in existence the two or three distilleries operating in coast locations which are using an article brought in from Cuba, in which nobody except the importer has any interest whatsoever. The statement that you are going to increase the cost of industrial alcohol is a bugaboo, for the reason they are talking about 95-cent corn. I will take a contract now to furnish a few million bushels at about 65 cents. [Applause.] The gentleman from Michigan talked about 95-cent corn, when, as a matter of fact, corn is not at any such price.

One thing further. I come from the biggest corn-producing district there is in the United States. The district in Iowa which I represent is noted as the district that ships out the most corn for market. I can remember the time when we used to say that if we had some No. 6 corn, or no grade of corn, we would send it down to Peoria. I am not a wet; I know nothing about the distilling business; but I do know that we used to have a market there for the type of corn that was not marketable under grade.

Mr. HUDSPETH. Will the gentleman yield?

Mr. DICKINSON. Yes.

Mr. HUDSPETH. The amendment offered by the gentleman from Illinois [Mr. HULL] will not increase the duty on blackstrap used for feeding purposes?

Mr. DICKINSON. Not at all; it is exempted, and it comes in under the same conditions as at present.

Mr. HUDSPETH. That is what my people are interested in, and that is what I have told them.

Mr. WINGO. Will the gentleman yield?

Mr. DICKINSON. Yes.

Mr. WINGO. I want to know whether I am correct. As I gathered the gist of the gentleman's argument it is that he is in favor of the home brew? [Laughter.]

Mr. DICKINSON. No; I am not a home brewer, and the gentleman knows it; but I am in favor of alcohol made from a home product if you are going to use it for industrial purposes.

Mr. GREEN. Will the gentleman yield?

Mr. DICKINSON. Yes.

Mr. GREEN. If this corn is taken off the market—that is, diverted to that channel—does the gentleman believe that will or will not give a better market for our Florida and Louisiana cane sugar? Will it not react in our favor?

Mr. DICKINSON. It will. Now, I want to talk about investments. They talk about the investments that this is going to put out of business. Let me suggest to you that you put just as many investments out of business in the Mississippi Valley when you change from corn to blackstrap as you will put out of business when you change from blackstrap to corn. As you know, we have already had three Members of the Michigan delegation speak with reference to this one proposition. What does it mean? It means that Michigan is producing the things in which they want to use this alcohol, and they are seeking, if you please, to use it at a price which will not tend to give a fair return to the corn producers at large.

Now, what does that mean? It simply means that they started in with blackstrap molasses as almost a waste product, of practically no value, and then it got up to 4 cents, and then it got up to 8 cents, and now it is up to 12 cents, and in a little while you are going to find that unless you put this rate of tariff on here, they will have blackstrap molasses up to the price that will represent all the traffic will bear, just so they keep it under the corn man and keep him from going into the trade. That is what you have involved here and that is all that is involved. [Applause.]

Mr. ALLEN. Will the gentleman yield?

Mr. DICKINSON. I yield.

Mr. ALLEN. About what does it cost the farmer who produces the bushel of corn to produce that bushel of corn?

Mr. DICKINSON. Well, there are a great many different opinions, but I would say 75 cents.

I wanted to talk a little about synthetic alcohol, but I will not have the time.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TREADWAY. Mr. Chairman, I have the highest regard for the two gentlemen from Iowa who have just spoken. I have not any personal interest either in the production of corn or the production of blackstrap. I think this is purely a question of fair treatment and a question of price to the ultimate consumer.

There has been a good deal of complaint made because the gentlemen from Michigan have taken part in this debate. There are other people interested besides the gentlemen from Michigan. There is nothing specially confined to that State in relation to the use of alcohol, whether it is denatured or otherwise, so I want to call attention to some of the actual uses of alcohol.

It may have already appeared in the RECORD; I am not sure whether it has or not, but it is well to recognize that 40,000,000 wine gallons of alcohol are used for antifreeze solutions. What has the matter of antifreeze solution got to do with the distinguished Members of the House from the State of Michigan? Probably 9 out of every 10 Members of this House own an automobile, and they and their constituents are the men who want to buy this antifreeze solution at the lowest price they can get it. It is a matter that has nothing to do with the manufacture of the automobile itself.

Mr. DICKINSON. Will the gentleman yield?

Mr. TREADWAY. I would prefer not to yield, but I yield to the gentleman.

Mr. DICKINSON. Is it not true there are several different types of antifreeze being manufactured now?

Mr. TREADWAY. Yes; but nearly every one is a matter of alcohol.

Mr. DICKINSON. Oh, no; there is glycerin.

Mr. TREADWAY. That may be correct. I will not dispute the statement of the gentleman from Iowa. As a general proposition, however, alcohol is usually used in antifreeze solutions.

Now, what is the true history of this matter of blackstrap? It is another case, gentlemen, of substituting apples for bananas. It is just the same type of argument we have heard here for four months—put a high duty on something to kill off the use of that article in behalf of substituting something else for it. This is not a legitimate tariff procedure. It is not a legitimate manner in which to lay a duty—to try to kill off one industry to build up another, and that is exactly the situation here. If it is to increase the price of alcohol 20 cents per gallon, as it can readily be figured out at a rate of 8 cents on blackstrap will, you are simply trying to substitute another article for this kind of alcohol in order to put that article in the market at a very greatly increased price.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. TREADWAY. No; I regret that I can not yield further.

It is not all confined to antifreeze solutions. The gentleman from Illinois [Mr. CHINDBLOM] has brought up a very excellent argument.

A new commercial article is coming into vogue in this country in great quantities, and that is rayon, and there is used for the cellulose industries 25,000,000 gallons. Cellulose is one of the bases from which rayon is produced. Therefore you are immediately increasing the first cost of rayon to every wearer of it in this country, and you are putting up one of the base products for the manufacture of rayon eight times in order to sell your corn.

Another interest is toilet and perfumery preparations, which use 5,000,000 gallons.

Every pharmaceutical association and every pharmaceutical manufacturer throughout the country is involved in this question also. Every one of them is appealing for as low a price on their raw products as they can get, and this is something that has to do with alcohol. These companies use 5,000,000 gallons annually.

There are other articles, such as shellac and varnish, taking 8,000,000 gallons, and miscellaneous consumption of 15,000,000 gallons, and you will increase the price of every one of these articles if you put an 8-cent duty on blackstrap. All of these great industries of the country will feel they are unfairly treated if we raise the price of alcohol, so largely used in industry, at least 20 cents per gallon.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BACHARACH. Mr. Chairman and members of the committee, I want to call attention to the fact that if we put a duty of 8 cents on blackstrap we are raising the rate forty-eight hundred per cent, far more than any item has been raised in this schedule, and in addition to this the users of industrial alcohol would be affected to the extent of 24 cents a gallon.

This would put many of the people in the industries in a very serious financial condition, and to my mind it is a question whether a good many concerns would not have to go out of business. One man who owns a plant near by in Virginia, engaged in the rayon business, has told me that he would positively have to shut down the plant if this duty were enacted.

Mr. COLE. Will the gentleman yield?

Mr. BACHARACH. I yield.

Mr. COLE. Is not that based on the fact that they assume the price of alcohol, if made from corn, will be increased, whereas that is not the fact? We can make just as cheap alcohol from corn as from blackstrap, if you give us the proper tariff.

Mr. BACHARACH. But, in addition to that, the people who are interested in this particular commodity reason about it in another way, and if you put a duty of 8 cents a gallon on blackstrap, it may be that they will be in a position where they will have to use synthetic alcohol. As a matter of fact, there are two plants now experimenting along this particular line.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. BACHARACH. Yes.

Mr. WILLIAM E. HULL. Is it not true that if they could use synthetic alcohol they would use it whether they could get blackstrap molasses or not? They are trying to build up now——

Mr. BACHARACH. I did not yield for a speech.

I want to say to the gentleman from Illinois that this much is true: That they will not use synthetic alcohol if they can get blackstrap so that they can make industrial alcohol. You can raise the rate entirely too high.

Mr. WILLIAM E. HULL. We will be getting alcohol made from an American product.

Mr. BACHARACH. At the same time we are putting a great industry out of business. There is $55,000,000 invested in the alcohol business.

Mr. WILLIAM E. HULL. I admit that.

Mr. BACHARACH. I want to call the attention of the committee to this fact: That this would be a rate that we could not defend in any way, shape, or form. It is not a fair proposition. I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman from New Jersey has expired, all time has expired, and the question is on the perfecting amendment offered by the gentleman from Illinois [Mr. WILLIAM E. HULL].

The question was taken, and the Chair being in doubt, on a division, there were 121 ayes and 124 noes.

Mr. WILLIAM E. HULL and others demanded tellers.

Tellers were ordered.

The Chair appointed as tellers Mr. WILLIAM E. HULL and Mr. HAWLEY.

The committee again divided, and the tellers reported that there were 132 ayes and 130 noes.

So the amendment of Mr. WILLIAM E. HULL was agreed to.

The CHAIRMAN. The question now is on the committee amendment offered by the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. RAMSEYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAMSEYER. That the House may know the amendment of the gentleman from Colorado was amended by the amendment of the gentleman from Illinois [Mr. WILLIAM E. HULL], the motion now pending is to strike out all the language, including the Hull amendment just adopted. I want to suggest that those favoring the retention of the Hull amendment should vote "no" on the pending motion.

The CHAIRMAN. The amendment offered by the gentleman from Illinois [Mr. WILLIAM E. HULL] has been adopted and the text has been amended. The question now is on the amendment of the gentleman from Colorado striking this part of the text from the bill.

The question was taken, and the Chair, being in doubt, on a division, there were 126 ayes and 101 noes.

Several Members demanded tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. HAWLEY and Mr. WILLIAM E. HULL.

The committee again divided, and the tellers reported that there were 136 ayes and 116 noes.

So the committee amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 157, line 23, strike out "45" and insert "50."

Mr. CHINDBLOM. Mr. Chairman, this amendment relates to the duty on plied spun silk, or schappe silk yarn. This yarn is used principally in the manufacture of velvets. The pending bill increases the duty on velvets, and in order to make a compensatory increase in the duty on the plied yarn which is used in the manufacture of velvets the committee now proposes this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment offered by Mr. CHINDBLOM: Page 158, line 13, after "velvets" insert "other than ribbons"; page 158, line 15, after "velvets" insert "other than ribbons"; page 158, line 17, strike out the period and insert in lieu thereof a semicolon, and after line 17 insert a new clause as follows: "(3) velvet ribbons, 60 per centum ad valorem."

Mr. CHINDBLOM. Mr. Chairman, the duties in the bill on velvet ribbons vary with reference to the processes used in manufacturing pile velvets, as to whether the pile is cut or uncut or partly cut. If retained, these deferential rates would apply to velvet ribbons. We find that velvet ribbons are not produced in the United States, subjected to these processes known as cut, uncut, or partly cut, and therefore there is no necessity for the additional duties which are given to the ordinary pile fabrics when they have been subjected to these processes. The committee therefore recommends that in lieu of the rates in the bill, which may subject these velvet ribbons

to duties of 70 or 75 per cent ad valorem, depending on the process which might have been used upon them, there be a uniform duty of 60 per cent. The amendment amounts, therefore, to a reduction in the duties proposed by the pending bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 159, line 12, strike out "60" and insert "65."

Mr. CHINDBLOM. Mr. Chairman, under the theory of the bill all Jacquard-figured silk fabrics get an increased duty on account of that method of production. The effect is that Jacquard-woven silk fabric gets a duty of 65 per cent ad valorem. In paragraph 1210, clothing and articles of wearing apparel of every description, manufactured wholly or in chief value of silk, not specially provided for, may be and in fact are frequently Jacquard woven. The rate in the bill is 60 per cent ad valorem. This rate is less than the rate on the woven fabric out of which the clothing and other articles of wearing apparel may be made. The committee concluded to make that rate uniform.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. LOZIER. Why do you always adopt the higher rate? Why not reduce the rate on Jacquards to 60 per cent instead of increasing the rate on clothing and other articles designed by this paragraph to 65 per cent?

Mr. CHINDBLOM. The committee thought the rate of 65 per cent on Jacquard-woven fabric correct, but somehow we overlooked the effect it would have on clothing and wearing apparel and articles manufactured therefrom, and of course naturally the people who are interested in these schedules discovered the inconsistency and brought it very forcibly to the attention of the committee.

Mr. LOZIER. Is it not extremely remarkable that the committee did overlook an opportunity to raise the duty on the articles covered by this paragraph from 60 to 65 per cent?

Mr. CHINDBLOM. I think I can say to the gentleman without violating any confidence, that so far as the chairman of the subcommittee who is now presenting the amendment is concerned, that would have been the natural thing for him to do, if he had thought that the facts and conditions warranted it, because this chairman of this subcommittee started out with the express and determined purpose of not increasing the rates anywhere wherever it could be avoided, but the present proponent of this amendment on behalf of the committee believes these rates to be fully justified.

Mr. LOZIER. But the final result was a readjustment upward in practically every case.

Mr. CHINDBLOM. It is easy to fling out a general statement of that kind without any reference to the particular case or the particular fact. I say, upon the information which I have derived from my work on the committee and as a member of the committee who sought to hold the rates down, that I believe these rates are fully justified.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CHINDBLOM: Page 159, line 15, strike out the figure "60" and insert in lieu thereof the figure "65."

Mr. CHINDBLOM. Mr. Chairman, this is the same situation exactly as in the case of the previous amendment. The amendment covers all kinds of manufactures whose chief value is silk, and proposes increases of duties exactly for the reasons stated in the case of paragraph 1209.

Mr. LOZIER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. LOZIER. Mr. Chairman, I want to say to my Republican friends that you are facing a condition similar to that produced by the passage of the Payne-Aldrich Act. Like the Payne-Aldrich bill, the pending bill was written by the industrial classes of America. In writing this bill the agricultural classes and the so-called common people have not been considered, but practically every demand made by the manufacturing class has been readily granted.

The Republican Members of Congress are sacrificing the interest of the masses in passing this bill. You are abusing the power your great majority gives you. But the time is coming and it is not far distant when the people of this country will resent your action in passing this burdensome measure. It grants bounties to the manufacturing classes which are so excessive and indefensible that they will shock the national conscience.

The American manufacturers have reached the point where their existence and continued prosperity compel them to reach out for foreign trade and foreign markets. While our country was in the process of development, our home people could easily absorb all the products of our mills and factories, and during that time it was perfectly natural and logical for the American manufacturer to depend upon the domestic market alone.

But our industrial development has been so tremendous that we have reached the saturation point in America, and the American people are no longer able to use the output of our American factories, and our manufacturers can no longer expect the American market to absorb all the commodities from our domestic mills and factories. This means that our manufacturers must either reduce production or they must seek a market abroad.

When the American manufacturer stands face to face with this situation he will realize that the people of other nations will not trade with us unless we trade with them, and in self-defense, and in order to find a foreign market for his surplus products, the American manufacturer will insist on a lowering of the present high tariff walls.

The statistics show that practically one-half of our export trade is with Great Britain and her dependencies. In 1927 we sold Canada $360,000,000 more goods than she sold us. We sold Great Britain $482,000,000 more goods than she sold us. Our exports to Germany were $281,000,000 more than our imports from Germany. Our exports to Australia exceeded by $121,000,000 our imports from that continent. We sold Italy $23,000,000 more goods than she sold us, and the balance of trade between the United States and France was $51,000,000 in our favor. In 1927 our total exports were $4,865,000,000, while our imports were $4,184,000,000, the trade balance being $681,000,000 in our favor.

The American manufacturer has reached the forks of the road and he must either seek foreign markets or reduce production. In order for our factories to operate profitably they must run to their full productive capacity, and if a factory is not operated to its full capacity the production cost of the manufactured articles is materially increased.

In the next five years, possibly sooner, the manufacturers in the New England and Middle Atlantic States will realize their mistake and clamor for lower tariff schedules. They will see their mistakes in building the tariff wall to the unreasonable heights established by the pending bill. Experience will demonstrate that the American market will not absorb all of their products, and they must seek additional markets abroad. The American manufacturers are doomed to be forever excluded from the markets of the world unless there is a reasonable reduction in the duties on commodities imported into this country from foreign nations.

Nations will not trade with a people who will not trade with them. By demanding so much the American manufacturer is killing the goose that lays the golden egg. If you persist in passing this measure, it will culminate in the ultimate destruction of the Republican Party, because this bill is not for the benefit of the great masses of the American people. [Applause and cries of "vote."]

The CHAIRMAN. The time of the gentleman from Missouri has expired. The question is on agreeing to the committee amendment offered by the gentleman from Illinois [Mr. CHINDBLOM].

The committee amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I have another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CHINDBLOM: Page 159, strike out lines 17–25, inclusive, on page 160, strike out lines 1–25, inclusive, and on page 161, strike out lines 1–21, inclusive, and insert:

"Par. 1301. Rayon yarn, if singles, weighing 150 deniers or more per length of 450 meters, 45 per cent ad valorem; weighing less than 150 deniers, 50 per cent ad valorem; and, in addition, any of the foregoing plied shall be subject to an additional duty of 5 per cent ad

valorem: *Provided*, That none of the foregoing shall be subject to a less duty than 45 cents per pound.

"Par. 1302. Rayon waste, except cellulose acetate rayon waste, 10 per cent ad valorem; rayon filaments, other than waste, whether known as cut fiber, staple fiber, or by any other name, 20 per cent ad valorem; rayon noils, 25 per cent ad valorem; garnetted or carded rayon, 10 cents per pound and 25 per cent ad valorem; sliver or tops, 10 cents per pound and 30 per cent ad valorem.

"Par. 1303. Spun rayon yarn, 10 cents per pound, and, in addition, if singles, 45 per cent ad valorem, if plied, 50 per cent ad valorem.

"Par. 1304. Rayon yarn put up for handwork, and rayon sewing thread, 55 per cent ad valorem, but not less than 45 cents per pound.

"Par. 1305. Rayon in bands or strips not exceeding 1 inch in width, suitable for the manufacture of textiles, 45 per cent ad valorem, but not less than 45 cents per pound.

"Par. 1306. Woven fabrics in the piece, wholly or in chief value of rayon, not specially provided for, 45 cents per pound and 60 per cent ad valorem, and, in addition, if Jacquard figured, 10 per cent ad valorem.

"Par. 1307. Pile fabrics (including pile ribbons), whether or not the pile covers the entire surface, wholly or in chief value of rayon, and all articles, finished or unfinished, made or cut from such pile fabrics, 45 cents per pound, and, in addition, if the pile is wholly cut or wholly uncut, 60 per cent ad valorem, if the pile is partly cut, 65 per cent ad valorem.

"Par. 1308. Fabrics, with fast edges, not exceeding 12 inches in width, and articles made therefrom; tubings, garters, suspenders, braces, cords, tassels, and cords and tassels; all the foregoing wholly or in chief value of rayon or of rayon and India rubber, and not specially provided for, 45 cents per pound and 60 per cent ad valorem, and, in addition, if Jacquard-figured, 10 per cent ad valorem.

"Par. 1309. Knit fabric, in the piece, wholly or in chief value of rayon, 45 cents per pound and 60 per cent ad valorem; gloves, mittens, hose, half hose, underwear, outerwear, and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of rayon, 45 cents per pound and 65 per cent ad valorem.

"Par. 1310. Handkerchiefs and woven mufflers, wholly or in chief value of rayon, finished or unfinished, not hemmed, 45 cents per pound and 60 per cent ad valorem; if hemmed or hemstitched, 45 cents per pound and 65 per cent ad valorem.

"Par. 1311. Clothing and articles of wearing apparel of every description, manufactured wholly or in part, wholly or in chief value of rayon, not specially provided for, 45 cents per pound and 70 per cent cent ad valorem.

"Par. 1312. Manufactures of rayon filaments, fibers, yarns, or threads, and textile products made of rayon bands or strips not exceeding 1 inch in width, all the foregoing, wholly or in chief value of rayon, not specially provided for, 45 cents per pound and 70 per cent ad valorem."

Mr. COLLIER. Mr. Chairman, with the permission of the gentleman from Illinois [Mr. CHINDBLOM], I would like to ask a question of the gentleman from New York [Mr. CROWTHER] with reference to the amendment. He had charge of the schedule with reference to boots and shoes, did he not?

Mr. CROWTHER. Yes.

Mr. COLLIER. Is that question coming up this afternoon?

Mr. CROWTHER. It is not likely that we shall take up the question of hides and leather and shoes until Tuesday. I can assure the gentleman that it will not be taken up to-day.

Mr. COLLIER. I thank the gentleman.

Mr. CHINDBLOM. Mr. Chairman, this new schedule, No. 13, entitled "Rayon Manufactures," has evoked a great deal of interest.

I have found it a great pleasure and a matter of much interest to myself to study this industry and the tariff duties applicable to it.

I do not know how interested the members of the committee might be at this moment. I am prepared to make a somewhat complete statement in explanation of the proposed duties, and to test the temper and sentiment of the committee I shall ask unanimous consent that I may proceed for 15 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. CHINDBLOM. Mr. Chairman, this new section 13 was paragraph 1213 of the tariff act of 1922. The subcommittee recommended to the full membership of the Ways and Means Committee that a new schedule should be established for this industry, and it comes to you now in that form.

I will make a very frank confession to the committee. I started out with the idea of making some very real, if not drastic reductions in this schedule, and if you will examine the table which I submitted with my remarks yesterday you will find that the Tariff Commission states that in the manufactures of rayon the average ad valorem rates in the tariff act of 1922 were 52.7 per cent, while in the pending bill (H. R. 2667) they are 45.27 per cent. It was not our purpose to make that much of a reduction. However, we found that the price of rayon yarns particularly had been depreciating rapidly during the life of the Fordney-McCumber Act. In 1920 rayon yarns in the United States commanded a price of $5 a pound, in 1922 they dropped to $2.75 per pound, and last year they were $1.30 per pound. We took the average experience during the last six years under the tariff act of 1922 and practically established the rates which had been operative during that time; but when these rates became known to the industry its representatives came to us and pointed out how adversely the present situation would be affected as compared with the condition which has existed during the last few years.

The average cost of the production of rayon has decreased rapidly, not only in the United States but in the entire world. We therefore concluded, as a matter of justice and fairness, to restore to the schedule the 45-cent per pound minimum which was contained in the act of 1922, and having done that it became necessary for us to establish corresponding compensatory rates in other schedules.

I wonder how many Members of the House are as little familiar with the manufacture of rayon as I was when I began to study this schedule? Rayon has sometimes been called artificial silk; sometimes imitation silk; sometimes synthetic silk; and then again artificial horse hair and artificial straw. I will say there is now being made artificial wool which comes under this same general class of manufacture. All of these are products of cellulose. Cellulose is a solution of fiber, principally wood fiber and cotton fiber, and in the manufacture of rayon both wood fiber and cotton fiber are generally used, although there are some materials of this character which are made entirely out of cotton fiber, and for that purpose they use what is known as cotton linters. These fibers are produced for the rayon manufacturers by the mills and factories which produce the wood fiber and the cotton fiber in the proper form for the processes used in the manufacture of the rayon yarn. To a limited extend, cornstalks have also been used in the production of fiber pulp.

I hold in my hand a spruce wood pulp sulphite sheet, which was imported from Sweden. In the other hand I hold a cotton linter sheet, which has been similarly produced by breaking down the fibers of the cotton. In most manufactures of rayon they will use from 60 to 70 per cent of wood fiber in the shape in which you see it in my left hand and from 30 to 40 per cent of the cotton linter fiber in the shape which I hold in my right hand. These two are used together and placed in solutions which result in the formation of a liquid. This liquid is passed through numerous processes of a chemical character, and I will say that one of the very largest ingredients used in the manufacture of rayon is industrial alcohol, as I stated a little while ago in the discussion of another subject. When this solution has been properly treated it eventually passes out generally through a glass tube and through orifices of a very fine diameter or size, so that eventually some 20, 24, or 30 small strands of the cellulose solution pass into a vat or a bath of chemicals. The strands or filaments immediately solidify and are carried up on glass reels and eventually spun upon wheels or spools. There are other forms of manufacture in which instead of being immersed in a chemical bath, solidification occurs immediately upon the solution being subjected to the air and this is called solidification by evaporation. We have been told that a new process has been evolved in Germany by which the fibers of this cellulose material are thrown out violently by an explosion so that a mass of filaments are obtained without the more costly process of separate production of the strands composing a single thread or yarn. Be that it may, the realm of methods of production has probably not yet been fully explored.

Out of the yarn which is made from these cellulose tissues which have been broken down into their elemental component parts or cells there results a material which looks eventually very much like silk, wool, mohair, linen, straw, or even cotton, and can be and is used as a substitute for all of these. Rayon tablecloths and rayon bedspreads and almost every form of textile manufacture in substitution for the natural textile fibers are now upon the market.

The cellulose filaments to which I have referred, and which are sometimes called "staple fiber," are spun and twisted into rayon yarns and are subject to the duties prescribed in paragraph 1301. The next paragraph, 1302, relates to another industry of rather recent origin, which produces spun rayon, largely used in the manufacture of upholstery fabrics and women's coats. Its raw material is rayon yarns, procured either in the form of rayon waste during the process of weav-

ing or in the form of staple or cut fiber, which must be purchased from the manufacturers of rayon yarns. There is, therefore, a difference in the duties between rayon "waste" and rayon "filaments" not the result of waste, which is a sort of by-product of the yarns. In paragraph 1302 we have for the first time sought to differentiate between the various processes in the production of spun rayon.

Toward the end of the process for the manufacture of these yarns there are produced certain noils, which are used in a mixture of wool, for instance, in the manufacture of worsteds and in mixtures of cotton and also silk.

Then we come to the carded or garnetted stage, which is a further process in manufacture, and which you will find mentioned in the new schedule. This, in turn, after various kinds of treatment, is gathered together in the form of tops, and from these tops are then spun the various yarns which are known as spun rayon yarns; and I show here some of these spun yarns of various colors and of various weights. I also show a sample of the original rayon yarn, which is frequently described as of the denier type.

Now, out of this material, as out of silk and as out of cotton and as out of wool, many articles of manufacture are made; but I show you the original fiber, the wood and the cotton fiber, out of which the rayon itself is produced, and then I show you two pieces of fabric which have been produced out of these fibers, this one being a rayon voile, a dress pattern very popular among the ladies, and this one being a rayon crêpe, which is equally popular among our friends of the gentler sex.

I have here some of the various forms of rayon in the various processes of development, from the denier yarn type to the spun rayon yarn type [indicating].

This was very largely a new industry 10 or 12 years ago, and when the tariff act of 1922 was written only a single paragraph was devoted to it in the matter of tariff duties, and we concluded that the industry had reached a point where it was necessary and proper that their request for a separate schedule should be granted. For this reason, instead of paragraph 1213 in the old law, we have now a complete schedule, running from paragraphs 1301 to 1313.

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. CHINDBLOM. Yes.

Mr. MORTON D. HULL. What was the tariff provision under the old law? Was there any tariff on this product?

Mr. CHINDBLOM. Yes; it is paragraph 1213 in the present act, and I will say to the gentleman that after having experimented with some reductions in the duties based, as we thought, or as I thought, at least, upon the experience of the last five or six years, we finally concluded to return practically to the rates prescribed in the tariff act of 1922 in paragraph 1213, and this new schedule follows those rates practically and puts them into different form and applies them to the different processes and the different stages of manufacture and production.

Mr. MORTON D. HULL. It is an industry that was built up under a protective tariff?

Mr. CHINDBLOM. Yes; it was built up under a protective tariff. The act of 1909 had a small paragraph on artificial silk, and the act of 1913, I will say to the gentleman, also had a small paragraph on artificial silk.

Mr. MORTON D. HULL. What I was trying to bring out, if I could, was whether or not this is an industry created under protection or whether it is an industry created by the genius of the men who are behind it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FORT. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois, who is making one of the most instructive and interesting talks I have heard on the bill be given 15 minutes' additional time.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the time of the gentleman from Illinois be extended 15 minutes. Is there objection?

There was no objection.

Mr. CHINDBLOM. I will say that this industry originated in France, where a man by the name of Chardonnet was the first producer of this kind of material, but it lingered over there, never amounted to much, until American producers began to take hold of it, and there is no question whatever that the duties in the Fordney-McCumber Act built up this industry since the year 1922.

To-day we are probably the largest producers and the largest consumers of rayon in the world, but European countries have begun to understand our methods of manufacture, and while formerly the products of such countries as Italy and France and Germany were inferior to the American product, and therefore were not as dangerous in competition as they might have been, to-day all of these countries are producing very superior grades of rayon to those which they produced formerly, and they have become real competitors, and, to-day, whereas our best information is that 150-denier rayon can hardly be produced in the United States at a less cost than $1.14 per pound, similar rayon can be bought in Germany at 56 cents a pound and in Italy at perhaps even a less figure than that.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. LAGUARDIA. Will this tariff that the gentleman is now proposing in his amendment permit paying the workers in these mills the American rate of wages?

Mr. CHINDBLOM. There is no reason why they should not pay them American rates of wages, and I will say to the gentleman I am convinced that the large factories—and I am not going to name them for the purpose of the RECORD—but the large factories probably would not need the full measure of protection which we give here, and there are only three or four of them; but what you might call the small establishments do need this protection, and these small establishments are not small in the ordinary sense, because no one can start a rayon factory with less than from $2,000,000 to $5,000,000 of capital.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. CHINDBLOM. If it is very essential.

Mr. McKEOWN. Well, I think we have been very liberal with the gentleman——

Mr. CHINDBLOM. Yes; I will say you have.

Mr. McKEOWN. I want to ask the gentleman in what parts of the country are the large rayon manufactories located.

Mr. CHINDBLOM. The rayon manufactories are located principally in Pennsylvania, New York, Maryland, Delaware, Virginia, Tennessee, Kentucky, and West Virginia. I might say, with reference to the pattern of rayon voile which I have shown the committee, that the yarn, that is, the rayon itself, was made in Virginia, the cloth was woven in South Carolina; I understand the printing was done in Pennsylvania, and the order for the woven fabric came from a large distributor in Illinois.

Mr. McKEOWN. Is there one in Elizabethton, Tenn.?

Mr. CHINDBLOM. I visited some factories, but I did not visit any at Elizabethton, Tenn.

Mr. LOZIER. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. LOZIER. The total production of rayon, I understand, is 250,000,000 or 260,000,000 pounds, of which we produce 80,000,000?

Mr. CHINDBLOM. Last year we produced 98,200,000 pounds.

Mr. LOZIER. I am speaking of the year 1927 when we produced two-thirds of the rayon and exported one-fifth of what we produced.

In 1927 we produced 80,000,000 pounds, and that same year we exported 18,700,000 pounds.

Mr. CHINDBLOM. In 1928 we produced 98,200,000 pounds, and in the present year, 1929, we have a capacity for producing and doubtless will produce 130,000,000 pounds.

Now, I want to proceed with the matter proposed in the bill.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. CHINDBLOM. For a question.

Mr. SPROUL of Kansas. The question I want to ask is, Are all of these rayon industries owned and operated by the same company or under the direction of a single association?

Mr. CHINDBLOM. No. There are at least four different processes for the manufacture. I want to say that this article called rayon in the bill has been variously known as artificial silk, imitation silk, synthetic silk, artificial or imitation horsehair, products of cellulose, and by a variety of trade and manufacturers' names. All of these manufacturers have produced the article in their own way and perfected their own processes. We found that the various productions were known under many different names. We therefore determined that it was in the interest of this legislation to adopt a single generic term. I want to call attention in that regard to the language of our report. I want to say first that the manufacturers of these materials and the merchants who dealt in them in retail trade held a conference in 1924 and they then agreed upon the generic term of "rayon." That word has not been copyrighted nor is it a particular trade-mark in the United States. It is used generally in the trade by the producers. We say this in the report:

> This committee has therefore concluded to adopt this name, "rayon," as the generic term to apply to all of these processes or manufactures and to that end a definition has been developed and inserted in paragraph 1313 to be used for the purposes of the tariff act. If no such generic term is definitely fixed in the act, it will be necessary to try to cover all of the various processes and manufactures by names or descriptions wherever the item occurs in the law. Of course, the adoption

of the generic term and the definition therefor is not intended to affect the use of trade names for the various processes of production by manufacturers and others.

Since there is at least one manufacturer who dissents from the adoption of the generic term in the tariff act I want to make it clear that this word has been adopted for the purposes of this act and for the administration of the tariff law and has been chosen entirely irrespective of any trade name and is not designed to conflict with the definition of the term in the industry or among the different producers. It is not our intention to decide any controversy among producers and it will be entirely consistent with the purposes of this act and with this definition for the manufacturers to use whatever trade name, copyright name, or popular name they desire under which their product may heretofore have been known.

Mr. JONES of Texas. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. JONES of Texas. Is it not true that Celanese or Tubize make their commodity and object to rayon because rayon is made of wood pulp and theirs are made of linters?

Mr. CHINDBLOM. Some manufacturers say they have a different process of manufacture because they use cellulose acetate. I am absolutely certain that there is no way in which the use of the generic term can injure them or anybody else. In the statistics, hereafter, by the Federal Government, in information collected and in the assessment and collection of tariff duties the general term "rayon" will be used. We might just as well have said "x, y, z," or have called it something else, but the term "rayon" is generic and refers to this general kind of production.

Mr. JONES of Texas. May I ask one further question? As I understood—and I may be in error—these two different processes yield distinctly under different conditions. For instance, one of them will dissolve in salt water and another one will dissolve in a certain form of treatment that cleaners use, and if they are designated as rayon——

Mr. CHINDBLOM. Oh, I say to the gentleman that if he should suddenly happen to pour a drop of acetone on one of these products he would be out of luck, but I do not think that has anything to do with it.

Mr. JONES of Texas. Of course, if the gentleman's statement is correct, that it is simply for the purpose of classification and will not be carried on to the trade generally, it will not make any difference.

Mr. CHINDBLOM. I assume that the gentleman has read the language in the bill.

Mr. JONES of Texas. Yes.

Mr. CHINDBLOM. And for the purpose of the RECORD I shall insert it here. It is paragraph 1313:

Whenever used in this act the term "rayon" means the product made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose, or a mixture containing any of the foregoing.

And let me say to the gentleman that I worked on this for many hours with experts from the Bureau of Standards and from the Tariff Commission and our legislative counsel. We had their assistance and support, and all of them agreed that this was a proper thing to do. In fact, the Bureau of Standards had previously adopted the word "rayon" before we put it into the proposed bill. The proposed definition reads in its entirety as follows:

PAR. 1313. Whenever used in this act the term "rayon" means the product made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose, or a mixture containing any of the foregoing, which product is solidified into filaments, fibers, bands, strips, or sheets, whether such products are known as rayon, staple fiber, visca, or cellophane, or as artificial, imitation, or synthetic silk, wool, horsehair, or straw, or by any other name whatsoever.

So that by whatever name known any of these articles which are made of cellulose or compounds of cellulose or various forms of cellulose in the tariff act and for the purpose of the administration of the tariff law will be designated under the generic term "rayon."

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. HALE. What has been done with regard to the rates on rayon hosiery?

Mr. CHINDBLOM. There is an increase from 60 to 65 per cent. We had considerable discussion about that, as the gentleman knows, and it took me quite a little while to be convinced, but I am glad, after having received all the facts in the case, that we concluded to take that step, because I think it is fair.

Mr. HALE. I thank the gentleman.

Mr. CHINDBLOM. I will say one more thing: We have a complete new classification of spun rayon yarn. One manufacturer of this yarn came to me this morning and said they still thought the rates were not quite sufficient for some forms of yarn, and just to show you the difficulties in the matter, they showed that during the month of April the importations of certain yarns—two-ply 26s, as I recall it—suddenly jumped from 19,000 pounds in March to 48,000 pounds in April. I might say also that these figures have just become available. Of course, it is impossible for us to meet conditions as they arise from day to day. In explanation and perhaps in defense of the original proposal in this schedule I might say that if we had had all of the information in the beginning, when we began to write this schedule, we might have avoided the necessity for the readjustment which we are now proposing in these amendments.

Mr. WHITTINGTON. In that connection, I observe in paragraphs 1311 and 1312 the amendment as read stipulates 70 per cent ad valorem.

Mr. CHINDBLOM. That is because of that Jacquard-figured equation.

Mr. WHITTINGTON. In other words, I found a difference and I wanted an explanation.

Mr. CHINDBLOM. Just exactly the same question as we had a moment ago in regard to silk. We thought it fair in silk and in rayon to give a differential by reason of the increased cost in production of the Jacquard-woven fabrics, and we found it necessary to carry this differential out in the manufactured articles in both schedules. That has been done. We believe this new schedule on "rayon manufactures" is fair to the domestic industry and that the rates are well balanced.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word. I am very glad indeed to get the assurance of the distinguished gentleman from Illinois [Mr. CHINDBLOM] that the tariff proposed in the bill is sufficient to permit the payment to workers in the rayon mills of American standard wages.

Mr. CHINDBLOM. In that connection, I will say that there has been no representation to the committee whatever that the raise proposed in these amendments will not be sufficient to that end, with the possible exception of a protest which came this morning of certain forms of spun rayon, and that is a very small part of it.

Mr. LAGUARDIA. I hope the gentleman will give even that to them, so that there will be no excuse for not paying decent American wages to the rayon workers. It is proper that we should pause at this time to call attention to the disgraceful condition existing in the rayon mill at Elizabethton, Tenn. I was informed only a few days ago by Mr. McGrady, of the American Federation of Labor, that the average scale of wages in that mill now is 13 cents per hour. Two years ago girls were being paid 9 cents per hour. It was increased to 10 cents per hour, and they were obliged to go on strike for several weeks to get 13 cents per hour. Imagine working 10 hours a day for $1.30, working 1 week, 6 days out of the week, and earning $7.80. In this Elizabethton mill when the girls desire to buy a pair of stockings that are made right there in the mill, they pay 25 cents down, and have to buy the stockings on the installment plan from their exploiting employers. Their wages are so low that they can not afford to buy even stockings for cash.

And when they asked for decent wages these two scoundrels who own and operate the factory obtained troops, and all that the workers got were bayonets. I say right now that these two scoundrels who own the mill at Elizabethtown, Tenn., belong in the Atlanta Penitentiary and no place else. They are unfit to employ American labor. [Applause.]

The unequivocal and unqualified statement made by the gentleman from Illinois [Mr. CHINDBLOM], who has studied the facts and figures, is the best proof that the tariff is sufficient to compensate for the difference between the cost of production in America and the cost in Europe; the difference in European wages and American wages. Let it be known that Congress, in giving these rates of duty to the manufacturers of rayon, do so in order that these workers in the mills may receive a decent living wage, so that they can live up to American standards of living. [Applause.]

Mr. HUGHES. Mr. Chairman and members of the committee, I am glad to have the opportunity at this time to defend West Virginia's rayon mill. I have listened patiently to the remarks of the gentleman from Illinois. He always explains things to this House in an intelligent way, and I am particularly gratified with what he said on this particular item.

I have been identified as a congressional representative with the mill now operating at Parkersburg, W. Va., for a period of three years. They employ 3,700 people. The wages of those people run about 20 per cent higher than the usual wages paid in mills similar to this one. They get a good price for their product and are therefore able to pay a good wage.

I have been in the mill at Roanoke, Va., where they employ 7,500 workers, and the same conditions prevail there as to wages paid. Prior to the erection of this mill at Roanoke the Norfolk & Western Railroad shops were practically the only industry located in that vicinity.

The rayon plant located at Parkersburg, W. Va., employing 3,700 workers, will soon be doubled, in case they are properly cared for by tariff protection. They have spent more than three and one-half million dollars in the erection of this plant up to the present time.

The tariff rate carried in this bill, 45 cents per pound, is necessary to the continued operation of this industry. The consuming public will get the benefit of this article at a very reduced rate, and West Virginia will offer to industrial workers an opportunity for employment at a satisfactory wage.

Mr. LOZIER. Mr. Chairman, ladies, and gentlemen of the committee, I appreciate the lucidity of the statement of the gentleman from Illinois [Mr. CHINDBLOM]. I do not always—in fact, seldom—agree with him; never when he is wrong, as he generally is when partisan issues are involved. But his statements are always interesting and illuminating. He has given us a brief history of the rayon industry. It is a new industry, and the history of its development reads like a romance from the pen of a Hugo, Scott, Dumas, or Goethe.

We are told in history that linen was the first cloth fabric known to man. Its first use is lost in the impenetrable mists of antiquity. In an unknown time, in an unknown place, an unknown man, or perchance a woman, carelessly broke a seemingly worthless weed and discovered vegetable fibers or filaments which were crudely woven by hand into the first piece of cloth. Afterwards came cotton, and then silk was discovered or processed by a Chinese queen.

Now comes rayon, a new fabric, the result of the inquisitive and inventive genius of the modern world. Those who pioneered in the production of rayon and set about to establish this new industry are no doubt entitled to the sympathetic consideration of Congress.

The great economist, John Stuart Mill, rejected all the fallacious arguments of those who advocated a high protective tariff, but he made one exception. He accepted their doctrine as to the necessity or advisability of encouraging infant industries by the imposition of moderate tariff duties until these industries are able to stand alone and successfully compete for their part of the trade.

So I have no objection to the rayon industry receiving an adequate protection so long as it is an infant industry and must have the benefit of a high tariff to survive. The events which have recently transpired in the rayon mills down in Tennessee illustrate and conclusively demonstrate that the primary and principal purpose of a protective tariff is for the benefit of the manufacturer and not for the benefit of the laborer.

You gentlemen are no doubt familiar with the industrial history of the American people. For many years following the Civil War the great manufacturing interests of this Nation were sheltered behind a high protective tariff. General Grant, John A. Logan, John J. Ingalls, Eugene Hale, James A. Garfield, James G. Blaine, John Sherman, and William B. Allison and John H. Gear and many other outstanding Republicans, including the venerable Senator Morrill, of Vermont, the apostle of protection, said it never was intended that these high protective duties should be permanent and declared that they should be reduced.

During the time these manufacturers were getting the benefit of this enormously high protective tariff they were importing their labor from Europe by contract. They were sheltered by the high protective tariff, and yet were bringing over shiploads of cheap, ignorant, and pauper laborers from Europe to work in their mills and factories, thereby displacing American workmen. That condition continued until the act of 1885 was passed prohibiting the importation of alien contract labor. But the provisions of that bill were not sufficiently stringent, and the manufacturers found means by which it might be evaded. Then the act of 1887 was passed, which under severe penalties prohibited the importation of alien contract labor. This law was enacted over the opposition of the manufacturers, who were enjoying the bounties of high tariffs but who were unwilling to pay American workmen a living wage and filled their factories with pauper labor from Europe.

Now, the manufacturers of rayon down in Tennessee are running true to form. They are sheltered behind a high protective tariff. They are growing rich under the high tariff rates on rayon under the Fordney-McCumber Act, but they are refusing to give to their laborers a reasonable wage. The men and women working in these mills are working for pauper wages and are denied a reasonable share of the wealth they create.

The men who operate these mills know that the protective tariff on rayon is not imposed for the benefit of their employees, but primarily and exclusively for the benefit of the manufacturers, and while enjoying rich governmental bounty they refuse to give their laborers a decent wage. The mill owners are enjoying the benefits and profits of a high protective tariff but they stubbornly and insolently refuse to share the profits of protection with their workmen.

All the wealth of the world comes from two sources. It is either a gift of Almighty God in the form of natural resources or it is the product of labor.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LOZIER. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LOZIER. All wealth is the product of labor; labor in the mill, labor in the factory, labor on the farm, labor in the mine, labor in the shop, or labor in some other field of activity. All the wealth that has ever been created in the world comes from one of these sources. The laboring men and the farmers of America, in the last 100 years, have created the lion's share of all our national wealth.

As labor is the greatest factor in the creation of wealth, therefore labor should share generously in the wealth it creates. Many of the rayon mills, while sheltered and enriched by high tariff laws, pay their workmen starvation wages. Manufacturers of this type do not deserve more tariff protection, and unless they reform and pay decent wages the tariff protection they now enjoy should be taken from them.

If the American manufacturer is consistent or has within his bosom any milk of human kindness, he will not deny to his laborers a fair and just proportion of the wealth which they create for him.

A great majority of men and women who are employed in these rayon mills are paid wages barely sufficient to keep body and soul together. And notwithstanding this disgraceful fact, you propose by this bill to increase the bounties enjoyed by rayon manufacturers under our high protective tariff system. Until rayon mills pay their employees a living wage they are not entitled to any consideration from Congress.

I do not want to punish other rayon manufacturers, because these southern fellows are unappreciative of and abusing the privileges which the American Government has granted them in the form of tariff bounties, but I do say this: That the American rayon manufacturers are standing now before the bar of public opinion, and before any additional tariff bounties are given them they should purge themselves of the atrocious crime of growing rich at the expense of the bodies and souls of their workmen.

For one, I am opposed to any increase in the tariff on rayon until the rayon industry cleans house and establishes a decent wage scale. If you grant this increase in tariff rates, the owners of rayon mills will not share these enlarged tariff benefits with their employees, who by their muscles, brawn, and brains are creating each day new wealth for their employers. If there is anything in the protective-tariff system which benefits labor, the manufacturers who are the direct beneficiaries of the tariff ought to give to their laborers a fair, decent, and just wage, and that is what the rayon workers in the South are not getting from their highly protected employers. [Applause.]

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I am very much pleased to have had the information given us by the distinguished gentleman from Illinois [Mr. CHINDBLOM]. It was, indeed, enlightening to me to know something about this rayon, but I have a little bit of suspicion about these increased rates on rayon. They say it is in order to help out an infant industry, but it has evidently been growing pretty fast. It is a pretty lusty child by this time, because it has been growing in this country for 15 years. You know, there is a lot of apple sauce about this infant-industry business that I have never been able to get straightened out in my mind. Some of our hoary industries with grandchildren are still being protected. But the thing which interested me most was to find out how this rayon is made. I am able to know now why it is so many runners come in these ladies' stockings when they only have them on for a day or so.

Mr. CHINDBLOM. They are not half hose, are they?

Mr. McKEOWN. Well, I will say to the gentleman that I have been wondering about it for a long time. You have given rayon stockings protection to the extent of 65 per cent, and I think the women of the country ought to have a little protection as to the length of service of the material itself. Now, there is

no joking about this thing. The women of this country have decided they will not wear fine-spun cotton stockings made out of fine long-staple cotton, but they have to have rayon stockings. You can not sell them any of these cotton stockings any more, no matter how finely they are made. So is seems to me that there should be a little guaranty along with this protection, a little guaranty of service, and then it would not be so bad. [Applause.]

Mr. HUDSPETH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. HUDSPETH. I want to ask a few questions regarding this matter.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. HUDSPETH. I would like to ask the gentleman from West Virginia, who has this industry in his State, how the proposed duty on rayon compares with the duty carried in the Fordney-McCumber Act? It seems to me the present duty is altogether too high.

Mr. HUGHES. It is practically the same thing.

Mr. HUDSPETH. I want to state to the gentleman that I believe—and other Democrats believe—in granting a tariff to the industries of this country which will permit them to compete with lower paid labor in any foreign country. I am for the home industry and I am for a sufficient tariff that will permit any needed industry in this country to exist. The gentleman's industry has grown very remarkably in the last few years. Now, I represent an infant industry down in my section, I will state to my friend—the goat and mohair industry—and your rayon is coming largely into competition with mohair at the present time. I do not object to a tariff on rayon, but I desire to call the attention of my good friend from Oregon, Brother HAWLEY, to the fact that there is another wool that comes in competition with mohair below 44s—wool that comes in from South America or from the Argentine and Australia. That wool now comes in under a reduced duty, Brother HAWLEY. You have reduced the duty from 31 cents under ensuing law to 24 cents under this bill, and that wool, so the millmen tell me, can not be classified from the fine merino wools grown in Texas and other places.

Now, I call this to the attention of the chairman of the committee. This comes in competition with mohair, and I also want to state to my friends from the Northwest that it comes in competition with merino wool in your section, and they are reducing the duty on that wool. This comes largely in competition with your fine merino wool of the Northwest, of Nevada, Utah, Wyoming, and also Texas.

I am perfectly willing, I will state to my friend from West Virginia, to give him a duty on his rayon that will protect him against manufactures in foreign countries, and I do not think my friend from New York needs to lose any sleep about this increased duty going to the laborer, although I hope it does. I take it it will go to the people who manufacture the cloth, but I can not understand why you are reducing the duty on all wools below 44s, which take in A–4s, A–5s, and A–6s, and I may say to the Representatives from the woolgrowing section that buyers in Boston state to me that in many instances you can not differentiate between this wool carrying a 24-cent duty under this bill from the fine wool above 44s.

You have got that right here in this bill, and I want to call it to the attention of the gentlemen from the Northwest, particularly my good friends, Brothers SAM ARENTZ, DON COLTON, and the other gentlemen from that section who represent woolgrowing States that raise fine merino wool. You are going to be hurt a good deal worse than you think you are. You just wait and let them adopt this section reducing the present duty on the so-called coarse wool of South America and New Zealand and see what happens.

I tried to get some information out of my smiling friend, the gentleman from Michigan [Mr. MCLAUGHLIN], the other day on this very proposition, and he thought I was trying to reflect on somebody. Oh, no; I wanted to know who this gentleman, Mr. Walker, was who comes here and professes to speak for the Ohio wool men. I wanted to know whom he represented and the gentleman thought "I wanted to reflect on somebody."

I simply want to call your attention to the fact that in trying to help the woolgrower you are reducing the duty on certain wools that come into this country from the rate of 31 cents as carried in the Fordney-McCumber Act to 24 cents a pound in this bill.

Mr. MCLAUGHLIN. Will the gentleman yield?

Mr. HUDSPETH. Yes; I yield to my benign friend from Michigan.

Mr. McLaughlin. A gentleman representing a wool State and assuming to represent practically all the wool growers of the country stated that he was speaking advisedly when he asked us to reduce the duty on these coarser wools from 31 cents, which is the rate now, to 24 cents.

Mr. HUDSPETH. No; I dislike to correct my good friend from Michigan, but the gentleman who was here representing the sheep and wool growers of Texas, Mr. C. C. Belcher, and the largest sheep and wool growing organization in the United States, protested against this very thing, and I have here a telegram from him to that effect.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. I just want to call this to the attention of you gentlemen in charge of this bill and to state that it is a matter that ought to be corrected if you want to give the wool men the protection that you claim you are giving them in this measure. [Applause.]

Mr. HAWLEY. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The committee amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, on behalf of the committee I offer an amendment to section 14.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. DAVENPORT: Page 165, line 18, before the word "papers," insert "uncoated"; page 165, line 23, after "pound," insert "and 10 per cent ad valorem"; page 166, line 1, strike out "18" and insert in lieu thereof "10"; page 166, line 5, strike out "20" and insert in lieu thereof "18."

Mr. DAVENPORT. Mr. Chairman, this schedule requires very little change except in classification and in a few rates. This amendment carries a slight change in the classification of uncoated papers and also alters the rate in line with importations.

Mr. LOZIER. Will the gentleman yield for a question?

Mr. DAVENPORT. Yes.

Mr. LOZIER. With reference to the paper schedule, I would like to inquire of the gentleman from New York what his information is as to the attitude of the Canadian Government with reference to an export duty on pulp?

Mr. DAVENPORT. I have no information from the Canadian Government on that point.

Mr. LOZIER. The gentleman, of course, is aware of the fact that the Canadian Government and the Canadian people are very much dissatisfied with the high protective duties on Canadian products, and the gentleman certainly can not be ignorant of the movement in Canada to place an export duty upon pulp material. Does the gentleman think, in view of the fact that the American paper mills are depending almost exclusively upon Canadian supplies for their mills, that it is a wise policy to continue to build higher and higher the tariff wall between the United States and our second-best customer in the world?

Mr. DAVENPORT. Mr. Chairman, the tariff has become more than a question of differences of cost of production. It is the resultant of a number of forces, one of them being a sound foreign policy. Whenever we frame a tariff bill it is important that we bear international trade and international good will in mind; but no country has a right to complain if another country, in the exercise of its sovereignty and of its obligation to its own population and living standards, fixes fair tariff rates for the benefit of its own industry and its own people. [Applause.]

Mr. McCORMACK of Massachusetts. Mr. Chairman, I have not as yet spoken during the general debate on this bill. It is my purpose, however, to discuss what I consider to be the most important item to the consuming public of America.

There is one feature of the bill which interests me, and that is the sugar item, properly referred to as "the battle of the sugar bowl" by the Literary Digest in one of its recent issues.

We are all satisfied that so far as this House is concerned, only committee amendments will be considered, and that will prevent, for the time being, a vote on sugar by the Members of this body. As a result of that, so far as the House is concerned, the bill will be passed providing for a duty of $2.40 a hundred on sugar coming into this country from Cuba.

It is in connection with a matter relating to the duty on sugar that I want to first address myself to the Members of the House. While the subject I am going to discuss can not be acted upon here, by reason of the rule which prevents Members from offering amendments, it is possible that some Member of the other branch might realize the importance of the matter to which I am going to refer.

Section 313, paragraph (b), page 262, relates to substitution for drawback purposes. It is in reference to that that I want to speak briefly.

The present policy of the United States, as I understand it, is that where sugar is imported into this country and the duty is paid and later any portion is exported, that the importer after having refined the raw product is entitled to a certain drawback which amounts to 100 cents on the dollar, or at least a 99 per cent drawback.

The policy has always been that the drawback came when the sugar was imported into this country upon which a duty was paid, but it has never been the policy that there should be a substitution for drawback purposes by duty-free sugar for duty-paid sugar. This paragraph provides for such a drawback.

In other words, if a million pounds or a billion pounds of sugar are imported in the raw form and duty of $2.40 is paid thereon, and thereafter it is refined in the United States and sold to the American public, then a million or a billion pounds can be imported from Hawaii or the Philippines, refined and sent out into the world market, and the exporter can receive a drawback of 99 per cent on the sugar on which he paid a duty.

I use the illustration of a million or a billion pounds, but it might as well be more.

Not only does this bill provide in this paragraph that duty-free sugar can be substituted by exportation but it provides that duty-free sugar can be sent to the Philippine Islands, and by being transported bears the same substitution provision as this, that the exporter, who is a refiner, can receive back 99 per cent of the sugar that he exports to the Philippines, provided he has paid duty on a similar amount of sugar coming into this country from a duty-paying country.

Let us analyze this a step farther. We can see, by reason of the operations of this clause, where the moneyed interests invested in Hawaii and the Philippines, after driving the Cuban interests off the domestic market, can then absorb them by purchase or consolidation. Once having absorbed the Cuban interests, those who are interested financially in Hawaii and the Philippines can then drive the American products out of competition in the domestic market, or by the same process of purchase, absorption, or consolidation create a great trust controlling the sugar production of Cuba, America, and our island possessions. After doing that they can throw onto the American market duty-paid sugar, passing on the duty to the American consuming public, and then go out and create a world market, using duty-free sugar for that purpose, and every time they ship a pound of duty-free sugar, where they have imported from a duty-paying country a similar amount, they can draw back 99 per cent of the duty originally paid under the provisions of this paragraph.

It is our duty as legislators to look into the future and consider the manner in which pending legislation might operate in the event of it becoming law.

I consider this to be a very dangerous policy. I can look into the future and see where the increase in duty will paralyze, if not destroy, the Cuban sugar industry. If, and after, the proposed increase on sugar goes into effect, I can see where the American financial interests that have their money invested in Hawaii and the Philippines will be able to secure control, at least, of the Cuban sugar industry. After having accomplished that, I can see where they will proceed to underbid the American producer, and after removing him as a domestic competitor, absorb that industry. An effort can then and undoubtedly will be made to create a world market.

Assuming this condition did occur, it is not unreasonable to believe that the time would have then arrived for the interests controlling the domestic market to unload upon the consuming public sugar which is produced only in Cuba, because the increased duty on imports will be passed on to the consuming public. Having created a world market, the refining interests will then utilize the duty-free sugar to export, because they can substitute for drawback purposes the duty-free sugar as against the duty-paid sugar which they have already passed on to the American consuming public.

The American public bears the burden of whatever duty is paid on duty-paid sugar. Approximately one half is collected by the United States Government in the form of revenue, and the other half goes to the American interests for the protection that the increased tariff gives. If the day ever arrives when the sugar production of Cuba, the United States, Hawaii, Virgin Islands, and the Philippines are controlled by one organization, we will then have a situation where they will not only collect the duty paid by passing it on to the American public, but they will draw back from the United States Treasury a substantial part paid in by reason of the drawback provisions of this paragraph. In other words, under the provisions of this paragraph, the refining interests collect from both ends. It must be borne in mind that this does not benefit the producer; it only benefits the refiner. If the provisions of this paragraph become law it gives to the farmer a most powerful argument in favor of the adoption of the so-called debenture clause. It is an unnecessary, unwise, and dangerous change in the present policy of the United States. Under it one can very easily picture where the consuming public will suffer and the United States Treasury will not benefit.

The Republican members of the House Committee on Ways and Means advance the following reason for this change:

> Provision has been made for substitution for drawback purposes in the case of sugar and nonferrous metals. The inconvenience and difficulties encountered by manufacturers and producers who use these two classes of merchandise in identifying the imported merchandise in the completed article has resulted in the abandonment of many just claims for drawback. In any case it has been necessary for such manufacturers or producers to go to great expense and inconvenience in establishing their claims.

Confining myself wholly to the sugar drawback, I find upon inquiry—which information was given to me by the statistical division of the Department of Commerce—that during the year 1928 there were exported 245,113,161 pounds of refined sugar upon which a duty had been paid. Of the above amount, the United States Government paid a drawback on 203,615,778 pounds. It does not seem to me that these figures, if correct, bear out the contention of the committee that the present law has resulted in "an abandonment of many just claims for drawback." The above figures show that five-sixths of the exported duty-paid sugar during 1928 received a drawback from the United States Treasury. If that is correct, it would seem to me that this is a complete challenge to the main reason advanced by the committee.

I will now pass from this matter to a general discussion of the sugar question. During the course of the general debate on this bill there has been great stress laid by practically all of the Members who have spoken on what special interests require by way of protection, but very little has been said as to what may be for the best interests of the consumer. You can not impose higher duties on imports without invariably bringing about an increase in the domestic market of the product or commodity which receives further tariff protection. I believe that the American standard of living, as it is commonly referred to, should be maintained, and to the extent that it is necessary to maintain a balance between all of our elements—farm, capital, and labor—that there should be adequate tariff protection to and for all. In the drafting of and passing of a tariff law it is also necessary that the rights of the American consuming public should also be protected. Therefore a protective tariff should have a regard for the welfare of all of the people, and Congress should be just as selfish in protecting the general consuming public as some of its Members are in securing protection for special interests.

The danger of the protective tariff theory, unless closely watched, is that it will rapidly and easily develop into what might be termed the "high protective tariff theory" or the "prohibitory tariff," or to express it another way, we must constantly watch the "tariff prohibitionist" or "exclusionist." The latter theory is a dangerous one because in the end it gets us nowhere and only brings disaster and chaos.

While I consider the tariff problem a domestic one, nevertheless I feel that there are some exceptions that Congress might properly consider. To illustrate, I refer to the tariff increase which is aimed directly at Cuba. I believe that Cuba should be given a competitive opportunity in the American market. I express this opinion because Cuba of to-day is the child of America. After the Spanish-American War we exercised control of Cuba, proclaiming to the world our intention of giving her independence when her people were capable of self-government. We undertook the journey of educating them in the art and science of government and the ability to conduct their own affairs. In doing that, however, we saw that American capital was interested in becoming investors in that country to bring about material prosperity, because we realized that without such a state our program would fail and that we would stand discredited among the nations of the world by failing to keep our promise. In separating Cuba from Spain, educating its people, and granting them independence, we removed from our shores the one island territory adjacent thereto which, in the hands of a powerful European country, would be a constant menace to our safety and security. While I join with other Americans in saying that America had no selfish objects in view in the taking over of Cuba and educating its people in the art of self-government, I do say that its accomplishment has been beneficial to our future safety and security. The removal of Cuba from the possibility

of ever being or becoming a part of any nation that could or might engage with America in armed conflict is worth all of our efforts, energy, capital invested, and money spent in the making of Cuba an independent nation. In the establishment of a protective theory upon the theory that it is purely a domestic question—to protect American products, raw or finished, for the domestic market—we might well apply what is known in law as "the doctrine of exceptionalities." To every general rule, either of law or of the conduct of individuals or nations, there are exceptions, and there should be in this case.

To grant the increase proposed in the pending bill would undoubtedly mean the death of the Cuban Republic. The basis of strong and progressive government is not only a strong religious belief on the part of its people, and at least a practical adherence by a great majority to the beliefs they entertain; not only a strong family life, but there must be a strong and substantial class of citizens of moderate means, commonly called the middle class; and in order for this class to exist there must be material or economic prosperity in a country. The United States Government had that necessary element to a strong government in Cuba in mind and undertook to bring it about by attracting American capital to invest in the production of sugar before it could and did grant independence. Are we now to destroy that which we have built up and established? In order to attempt to protect a small group in America by the increase proposed, which might be accomplished in some other way, are we to bring about conditions in Cuba which will undoubtedly result in its destruction as a free and independent nation? Our relationship to Cuba is such that we should not, by our selfish actions, establish a condition whereby such an event might be even a possibility. The increase of duty on sugar means a destruction of Cuban sugar industry, and Cuba depends upon that industry for its existence. Such a course by America would not only be contemptible but would justifiably discredit us in the eyes of the other nations of the world. Let us go a step farther and analyze its probable effects. What about the other countries of South America? Every one of them have everything in common with Cuba and are watching closely what its father, creator, and supposed protector is going to do to it in this bill. They are going to naturally and properly infer that they can judge their future treatment from America by the way it treats Cuba in this bill. It is always a good and fair test of a person's future conduct to judge him by his past. This sound piece of philosophy applies also to nations.

President Hoover has made a trip of friendship and better understanding to the countries of South America. This trip was made after his election and before his inauguration. He realizes that immigration is surging westward; that the markets of South America are still in their infancy and that the nation that enjoys the friendship and confidence of those countries possesses an asset that is invaluable. I agree with him. We can not expect to exclude completely the products of those great countries and expect them to trade with us; to permit us to exploit their markets for our goods, and to admit our goods so that it can compete with the goods of nations that favor them in permitting a market for their goods. They may do it as long as they need American capital to build up their country, and that will be because of necessity, but the bitterness and feeling will be there, and when the time arrives when they are in a position to pay back what they have borrowed, or to secure capital elsewhere, they will naturally and properly exclude American products. And in the event of America becoming involved in armed conflict with some European nation or combination of other world powers—not an impossibility—what would be their feelings toward us? And these countries of the south are properly watching our treatment of little Cuba. As a Member of Congress I can not close my eyes to these considerations.

Let us analyze a little more. What about the Philippines? They will benefit if this increase is passed by Congress and the bill is signed by the President. That is, they will benefit from a financial angle.

But what about their independence? America has promised to the people of these islands that some day they will be granted independence. But after seeing independence granted to Cuba and then destroyed by the tariff act of 1929 will they then want independence? If they give any consideration to the treatment given Cuba, if the increase is granted, they will think a long while before they will seriously desire the attainment of their dream and the fulfillment by the United States of its promise. Not only does this increase destroy Cuban industry but its passage will spell the deathnote of Philippine independence. Not only do I believe that Cuba and the Philippines, when, if it ever does, secure its independence, should be given every consideration, but I also feel that Congress should foster the good feeling of all other countries in the Western Hemisphere by giving them every consideration consistent with our protective-tariff theory.

We want their confidence; cooperation, an appreciation on their part of our fairness; we want to build up in this new world a new atmosphere among nations, the contrary of that of the Old World; we do not want selfishness to actuate every motive of this New World, but we want unselfishness to be the basis of intercountry action and understanding; we want the Western Hemisphere to be inhabited by the people of its several countries who look at each other with eyes of friendship, of healthy and fair competition in trade and industry, not with eyes of hatred or with the constant fear in their minds of possible war and conflict, and the United States, as the most powerful Nation in the world, the leader of this hemisphere, with its powerful influence throughout North and South America, should lead the way in bringing about this condition. The influence of Europe in world affairs is on the rapid decline; the Western Hemisphere is taking its place; it is inevitable. It is our duty to see that the hatreds, prejudices, distrusts, misunderstandings, selfishness of the Old World are not transferred to the New World. The making of an American tariff and its considerations, consistent with a proper regard for our people or its nonconsideration of our neighbors, will do more toward determining what the future spirit of the nations of the Western Hemisphere will be with reference to each other than any other event.

There are other reasons why I shall oppose the proposed increased duty on sugar and would vote against the committee's recommendation if I had an opportunity. If there is any need for protection to American sugar interests which furnish us about 12 to 15 per cent of our sugar consumption, it is hard for me to understand how protection can be afforded so long as duty-free sugar, in unlimited quantities, can be imported into the United States from Hawaii, Philippines, and the Virgin Islands. While Cuba would be practically removed as a domestic competitor the American production would still be subject to competition from sugar produced in our island possessions. If the proposed increase becomes law it will mean an increase in the price of sugar to the consumer of at least $120,000,000 each year, benefiting our island possessions and only a relative handful of our beet-sugar growers. It will cost every housewife in the country quite a few dollars each year. It will restrict the use of sugar where the supply if unhampered by restrictive duties is boundless.

No matter how high the sugar tariff is the beet-sugar growers will lose in the end. Porto Rico, Virgin Islands, and the Philippine sugar are admitted duty free and sugar can be raised in all of these islands just as cheap as in Cuba. In time the Philippines will supply a great deal of sugar for the American market, and it will be difficult to avoid allowing it to come in free. Some may feel that the sugar coming in from the Philippines will cease when independence is granted to them, because the duty will then have to be paid. I am constrained to feel that the treatment given to Cuba by this bill will dampen the natural and proper ambition of the people of the Philippines to secure independence. If it does not, it ought to. American sugar interests must expect that a higher tariff will result in an increase in production in our island possessions.

The following is an extract from a recent editorial in the Boston Post, which has the largest circulation of any morning paper in the country, and with which quotation I am in thorough accord:

> We should give Cuba a square deal. We should not put an additional burden of expense on American consumers to aid a few sugar growers in the far West. Sugar is one of the main necessities of life. We can never supply more than a fraction of the domestic demand. Every cent we take from Cuba by crippling the Cuban sugar business we take from American workmen who make goods that Cubans buy. From the most selfish of standpoints, no increase in the sugar duty is warranted.

[Applause.]

Mr. HAWLEY. Mr. Chairman, I move that all debate upon the amendment and all amendments thereto close in three minutes.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DAVENPORT: Page 168, line 23, strike out "70 cents" and insert in lieu thereof "$1.40"; page 169, line 1, strike out "50" and insert in lieu thereof "35."

Mr. DAVENPORT. Mr. Chairman, the reason for this change is that the lithographic paper industry is suffering from considerable depression and unemployment, and a good deal of the particular kind of paper covered by this item is being imported. This decalcomania paper is very thin, there is a great deal of it in a pound, and the present rate is doing little good.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. DAVENPORT: Page 81, line 5, strike out all after the semicolon down to and including the semicolon in line 6, and in line 16, after the period, insert a new sentence, to read as follows: "Shotgun barrels, in single tubes, forged, rough bored, 10 per cent ad valorem."

Mr. DAVENPORT. Nothing happens here except that these words in the new bill are taken from one place in the paragraph and put where they belong, at the end of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The committee amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 103, line 5, strike out "posts."

Mr. ALDRICH. Mr. Chairman, the purpose of the amendment is to take such things as fence posts, which are used by the farmers, off the dutiable list and put them on the free list; and if this amendment passes I will offer another amendment at the proper place to put them on the free list.

The CHAIRMAN. The question is on agreeing to the committee amendment offered by the gentleman from Rhode Island.

The committee amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Rhode Island offers another committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 239, line 11, strike out "Railroad" and insert "posts, railroad."

Mr. ALDRICH. Mr. Chairman, that carries out the purpose of the amendment that I offered just a moment ago.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 224, line 13, before the word "gums," before "gum resins," and before "resins" insert "natural."

Mr. ALDRICH. Mr. Chairman, in the chemical schedule synthetic gums and resins are dutiable. All the gums and resins in this paragraph are natural gums and resins; and so, to take care of new synthetic gums which may be invented in the future, we offer this amendment adding the word "natural" before the words "gums and resins."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 211, line 24, after the word "animals," insert "poultry, and fish."

Mr. ALDRICH. Mr. Chairman, at the present time animals can be brought into the United States free, temporarily, for a period not exceeding six months, for the purpose of breeding, exhibition, or competition for prizes offered by agricultural and other associations. The committee has been asked to include in this provision poultry and fish, and it is in carrying out that idea that the amendment is offered.

Mr. FISH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. FISH. Mr. Chairman, I appeared by request before the Committee on Ways and Means and asked them if they would include poultry free, and made an appeal to the committee that they permit chickens for breeding and exhibition purposes to be brought into the United States, and naturally such an appeal was not in vain. But I can not understand why they have added fish with poultry. I rise for the purpose of obtaining information. If the gentleman from Rhode Island can not answer, I am sure the Speaker of the House could.

Mr. ALDRICH. It was simply for identification purposes.

Mr. FISH. As a matter of fact, there are no fish exhibitions, nor do we bring them in for breeding purposes.

Mr. ALDRICH. I am informed that we do have exhibitions of fish. [Laughter.]

The CHAIRMAN. The question is on agreeing to the committee amendment offered by the gentleman from Rhode Island.

The committee amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 235, line 5, strike out "and" and after "meal" insert "cod-liver oil cakes, and cod-liver oil cake meal."

Mr. ALDRICH. Cod-liver oil cakes and cod-liver oil cake meal are used as a food for poultry.

As another matter for the benefit of the farmers we have recommended this amendment.

Mr. LOZIER. Will the gentleman yield?

Mr. ALDRICH. Yes.

Mr. LOZIER. Does the gentleman think this amendment is entirely fair to the codfish industry of the New England States?

Mr. ALDRICH. Not at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island.

The amendment was agreed to.

Mr. ALDRICH. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Rhode Island offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. ALDRICH: Page 243, after line 2, insert a new paragraph to read as follows:

"PAR. —. Venetian glass mosaics which are works of art."

Mr. ALDRICH. Mr. Chairman, Venetian glass mosaics are not made in this country at the present time, and under the paragraph in schedule 2 they bear a duty of 60 per cent. Owing to the fact that they are not produced in this country, the committee thought they should be placed upon the free list.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ALDRICH. Yes.

Mr. LAGUARDIA. We have had considerable trouble in New York because of mosaics coming in as works of art, and they have been taxed. Will this take care of such a situation, where they are actually works of art?

Mr. ALDRICH. Yes. These Venetian glass mosaics have been construed by the courts to be works of art, but the wording "works of art," under the present paragraph in the free list, is not such as to take in Venetian glass mosaics. This amendment was suggested by our colleague from New York [Mrs. PRATT].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island.

The amendment was agreed to.

Mr. ESTEP. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. ESTEP: Page 141, line 8, strike out the period and insert in lieu thereof a comma and the following: "If such twines or cords are wholly or in chief value of flax or ramie and three-sixteenths of 1 inch or more in diameter, or wholly or in chief value of hemp and one-eighth of 1 inch or more in diameter."

Mr. ESTEP. Mr. Chairman, we thought at the time this bill was presented that section (c) on page 141 covered the situation that we had intended to cover, but after further consideration it was found that the wording there was not sufficient to overcome a decision that had been made in what was called the Monroe case by the Customs Court. This change is made in order that certain cordage made out of hemp will come in under the cordage section rather than pay the rate of duty under section 1004.

Mr. SLOAN. Will the gentleman yield?

Mr. ESTEP. Yes.

Mr. SLOAN. Does any part of this relate to binding twine?

Mr. ESTEP. No.

Mr. SLOAN. The bill leaves all binding twine on the free list?

Mr. ESTEP. Yes; this has nothing to do with binding twine at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. HADLEY. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Washington offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HADLEY: Page 7, line 11, strike out "one-fourth" and insert in lieu thereof "four-tenths."

Mr. HADLEY. Mr. Chairman, this relates to chalk or whiting, and under the present law there is a duty of 25 per cent ad valorem. We find that precipitated chalk is adequately protected at that rate and have left it there, but as to the ground or bolted commodity the rate is increased by this amendment from one-fourth of 1 cent per pound to four-tenths of 1 cent per pound. I have facts here which abundantly show that there is very severe competition on this class of whiting and that the rate carried in the pending amendment is not only necessary but that it does not fully cover the actual difference between the cost of production in the United States and Belgium.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. HADLEY. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Washington offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HADLEY: Page 22, line 15, strike out "50" and insert in lieu thereof "75."

Mr. HADLEY. Mr. Chairman, the rate on menthol is 50 cents per pound under the present law. This amendment increases the rate to 75 cents a pound. We find that menthol is produced in Japan from peppermint oil. We have a large production of peppermint oil in this country and the menthol of Japan is a very severe competitor. On reviewing the case and going into that angle of it, we found that the importations would justify this increase, and that is the reason this amendment is now submitted in behalf of the committee.

Mr. EDWARDS. Will the gentleman yield?

Mr. HADLEY. Yes.

Mr. EDWARDS. What is this item?

Mr. HADLEY. Menthol. It is produced from peppermint oil in Japan.

Mr. EDWARDS. And you are increasing the duty on it?

Mr. HADLEY. From 50 cents to 75 cents.

Mr. EDWARDS. At about what rate will that increase the price of the products of menthol?

Mr. HADLEY. I have no definite information as to the application of that rate to prices. Of course, like many other rates, it is debatable whether it will increase the price at all or not.

Mr. EDWARDS. Menthol is used largely for medicinal purposes, is it not?

Mr. HADLEY. Yes; it is used in some medicinal products.

Mr. EDWARDS. And you increase the duty how much?

Mr. HADLEY. From 50 cents to 75 cents.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The committee amendment was agreed to.

Mr. HADLEY. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HADLEY: Page 23, line 8, strike out "seven and a half" and insert in lieu thereof "eight and a half."

Mr. HADLEY. Mr. Chairman, this amendment is to take care of a situation with respect to bulk olive oil and package olive oil. The bulk olive oil is remaining under this amendment as it is in the present law, but the spread is 1 cent—6½ cents on bulk and 7½ cents on the package form in the present law. We are increasing the latter rate to 8½ cents. This is to take care of the tinning industry. There is considerable labor employed in this industry, and we found that the rate is not adequate to protect the domestic manufacturer on the package form and therefore we submit this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The committee amendment was agreed to.

Mr. HADLEY. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from Washington offers a committee amendment which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HADLEY:

Page 26, strike out lines 18 to 24, inclusive, and on page 27, strike out lines 1 and 2, and insert in lieu thereof:

"PAR. 67. Paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors:

"(1) Not assembled in paint sets, kits, or color outfits, in tubes, jars, cakes, pans, or other forms not exceeding one and one-half pounds net weight, valued at less than 20 cents per dozen pieces, 40 per cent ad valorem;

"(2) Not assembled in paint sets, kits, or color outfits, valued at 20 cents or more per dozen pieces, in tubes or jars, 2 cents each and 40 per cent ad valorem; in cakes, pans, or other forms not exceeding 1½ pounds net weight, 1¼ cents each and 40 per cent ad valorem;

"(3) In bulk or any form exceeding 1½ pounds net weight, 40 per cent ad valorem;

"(4) In tubes, cakes, jars, pans, or other forms, when assembled in paint sets, kits, or color outfits, with or without brushes, water pans, outline drawing, stencils, or other articles, 70 per cent ad valorem."

Mr. HADLEY. Mr. Chairman, the committee in submitting this amendment bases it upon a rebracketing of this paragraph on artists' colors. As to those that are not assembled it creates a dividing line of 20 cents per dozen because the higher rates would apply to the school items referred to in this amendment, children's paints and colors, without this amendment. Those of 20 cents a dozen or less will be rated at 40 per cent, which is the present law, whereas those above that rate are given a higher rating. Then we put in a third bracket which is new, and this is to take care of the artists' colors imported in bulk where they exceed 1½ pounds net weight, whereas the others, in unassembled form, are below 1½ pounds. We think this rebracketing will meet the competitive situation better, and we want particularly to take care of the school colors and school sets.

Mr. STAFFORD. Will the gentleman yield?

Mr. HADLEY. Yes.

Mr. STAFFORD. Can the gentleman give us any data as to amount of importations of school crayons and school paints to which this item refers?

Mr. HADLEY. We have had that before us. I have not it definitely in mind now.

Mr. STAFFORD. Do we assume to forbid the importation of the foreign-made school articles or are we seeking by this amendment to allow them to still come into this country?

Mr. HADLEY. We are seeking to protect the children's paints and colors and those that are used in the schools in this country as against the higher rate under the bill as reported. We are segregating them and reducing the rate and letting the rates of the bill as reported apply to those of higher price and of the medium grades.

Mr. STAFFORD. Can the gentleman give us any information at all as to the importation of colored chalk and colored crayons used by school children throughout the country?

Mr. HADLEY. I refer the gentleman to the summary of tariff information on the subject. I do not have it at hand.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The committee amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 124, line 5, strike out "50" and insert in lieu thereof "75."

Mr. HAWLEY. Mr. Chairman, this affects potatoes. At present they are dutiable at 50 cents per 100 pounds. The commit-

tee, upon rehearing, on the information received concerning the market conditions along the Atlantic coast especially, found that an increase in the rate of duty is justified under the circumstances. Potatoes are grown everywhere in the United States. At one time there was some opposition to an increase of duty from some sections, but they have recently advised the committee in writing through their association that in their opinion a duty of 75 cents is a moderate duty and justified by circumstances.

Mr. JENKINS. Mr. Chairman, I rise in opposition to the proposed amendment. In my district are located a large number of potato growers who protest most vigorously against this increased tariff rate. I think their protest is based in part on the fact that they get their seed potatoes from abroad, from Canada, and this duty will result in increasing the price to them, and they protest vigorously against it, and I bring their protest to the House. These growers are giving much consideration to the potato industry and their protest is worthy of the careful consideration of this House. It is my hope that the House will vote down this amendment and permit the duty to remain as it is.

Mr. LAGUARDIA. Mr. Chairman, my protest is much more vigorous than that of my colleague from Ohio. I am not making a pro forma protest—I am protesting from the bottom of my heart—and this is a serious matter. We consume several hundred thousand pounds of potatoes every day in New York City. This is no laughing matter to us. Potatoes as a food are second only to bread. I submit, gentlemen, if there is anyone on the committee, or anyone on the Tariff Commission, or any Member of this House that can justify an increase of tariff on potatoes I would like to hear it.

The figures will show that there are a great deal more potatoes exported than imported. I said the other day that one-half of 1 per cent of the consumption of potatoes in this country was imported. One of my colleagues corrected me and said that that was incorrect, that there was at least 1 per cent. All right. I will say 1 per cent, but that is not sufficient to affect the market. The trouble is with your market system. It has often happened that when there is a large crop of potatoes, the middlemen, the jobbers, will hold back potatoes and let them go to rot, but that is not our fault, that is the fault of your method of distribution.

I have no fault to find with gentlemen from Maine who are seeking this tariff for their State, for we must consider the entire country and not one or two spots. If you by this bill have it reflected in an increased cost of living, as it will immediately on such staples as sugar and potatoes, you will never be able to explain it. There is no justification for an increased tariff on potatoes.

Mr. LOZIER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LOZIER. The gentleman is protesting against the increased tariff on food products consumed by his constituents. Is the gentleman protesting against the increase on other commodities?

Mr. LAGUARDIA. I protest against increased rates on such products as are not imported to any extent and require no protection. I have been perfectly consistent. I believe that it is necessary to have a protective tariff on manufactured goods, on some raw materials, that require a compensatory duty to cover the difference in the cost of production in this country and other countries—the difference in American wages and European or Asiatic wages. I protest against tariff on commodities not in competition with foreign goods and given solely for the purpose of increasing prices.

Do not force this tariff increase now. I tell you that we are going to fight it out. We may not be able to do it in this body, but you will not be able to sustain this unjustifiable increase of 25 cents a hundred pounds on potatoes. This increased rate on potatoes is not a protection for American industry, it is nothing but downright larceny.

Mr. NELSON of Maine. Mr. Chairman and members of the committee, I think it was the homely philosopher, Josh Billings, who once said that it is better not to know so much than to know so many things that are not true. I appreciate the fact that the gentleman from New York [Mr. LAGUARDIA], during the progress of this bill, is attempting to cover a good deal of territory, and that it is humanly impossible for him to be accurate in all the statements which he makes here on so many and diverse matters. I am, however, surprised at some of his statements and conclusions on this important subject. To my mind, possibly somewhat prejudiced, any man who has given even cursory attention to this potato situation and does not know that this increase is justified either does not want to know it or is suffering from a congenital malformation of the cerebellum.

I can not understand how any man who is in sympathy with the avowed purposes of this session, who takes pride in the traditions and believes in the policies of the Republican Party, can vote against this proposed amendment. According to its title, this bill was designed to encourage the industries of the United States and to protect American labor. If there is one agricultural industry in the country to-day that needs encouragement and protection it is the potato industry, long suffering, and suffering to-day, from the ruinous competition of the cheaper land, labor, and transportation costs of the Canadian producer. Nor is this Maine's problem alone, but the problem of the entire country. No other agricultural industry is so common to all the States of the Union.

I hesitate to stand here at this late hour and weary this committee with a rehearsal of the many facts and figures that influenced your conservative Committee on Ways and Means to report this amendment, which carries but a fraction of that increase recommended by the great agricultural associations of this country as absolutely essential to the welfare of this industry. And yet the conclusions of the gentleman from New York should not go entirely unanswered.

A bare statement of the percentage of imports conveys no real understanding of the situation. In 1926 we imported over 5,500,000 bushels of potatoes, and in 1927 over 5,000,000 bushels. These importations may seem small as compared with the total production in this country, but their effect on the market is all out of proportion to their amount, and no such comparison is warranted. We raise potatoes in some 42 States, but the larger part of these are consumed locally and do not enter or immediately affect the great potato markets at Boston, New York, Norfolk, and Chicago. Of these domestic potatoes that do go into these markets the Canadian imports constitute a percentage so large as to constantly depress the markets, keep them in an unstabilized condition, and materially add to our own surplus problem. A market surplus of 10 per cent may make a difference of 50 per cent in the price.

Mr. LOZIER. And is it not a fact that by reason of the cost of transportation the potato growers on the northern boundary of our country are subject to severe competition from the growers of potatoes in the Canadian Provinces more than in the interior portions of our country?

Mr. NELSON of Maine. Certainly. Reliable investigations reveal the fact that the Canadian grower can lay down potatoes at Norfolk cheaper than can the New England producer. In 1928 we produced in this country over 460,000,000 bushels of potatoes. We can consume about 400,000,000 bushels. This left us with a surplus of 60,000,000 bushels. Canada is raising potatoes for export. Each year she is increasing her acreage and each year she has a surplus. Last year it was about 18,000,000 bushels. When spring comes the Canadian producer must either sell his potatoes at the Canadian starch factories for 25 cents a barrel or ship them into the United States at any price in excess of 25 cents, plus the tariff, plus the cost of transportation. We are faced with the tremendous problem of absorbing not only our own surplus but also that of Canada.

This amendment suggests no danger of excessive prices to the consumer. We already raise a surplus of this commodity, and competition in the home market, among home producers, all on the basis of an American standard of living, would keep prices down to a reasonable level.

Mr. LANKFORD of Virginia. Mr. Chairman, I come from a district in Virginia where the people use a great many of these Canadian seed potatoes. My people tell me that they are perfectly willing to pay the 25-cent duty in order to help out our friends in Maine. We are not willing to ask you for protection for our peanuts and not give you protection for your potatoes. [Applause.] We hope the time will come when you people in Maine will raise all the potatoes that we need in our part of the country.

Mr. BEEDY. Mr. Chairman, I move to strike out the last word. The gentleman from Ohio [Mr. JENKINS] is a conscientious representative of his district, and I know that he is troubled about this increased duty as it affects the cost of seed potatoes to his planters. Let me explain to him that it takes five barrels of potatoes to plant an acre, viz, 825 pounds. This increased duty of 25 cents per hundred pounds would mean an increase in the cost of seed to his planters of $2 per acre. But they raise from 50 to 75 barrels of potatoes an acre. Thus, an added investment of $2 per acre would mean an increased income of from $20 to $30 an acre. It does not take much of a statesman to see that there is a benefit in this tariff for the producer of potatoes.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BEEDY. Yes.

Mr. LAGUARDIA. On the question of statesmanship, will the gentleman yield? [Laughter.]

Mr. BEEDY. Well, I do not pretend to be an expert on statesmanship.

Mr. LAGUARDIA. With the help of the peanut grower and the sugar grower, does that constitute statesmanship?

Mr. BEEDY. Many men from many cross sections of the country constitute this House, but whether we represent the growers of peanuts or potatoes, we are each doing our best to contribute to the making of sound and helpful laws for the country.

The gentleman from New York is active in representing the interests of the people of his district. He is worried apparently because he thinks this proposed increase of duty will increase the cost of potatoes to the consumers in his district. This increased tariff means an increased duty of 40 cents a barrel. But it is not going to make one penny of additional cost for the consumers of potatoes.

We are raising a surplus; so also is Canada. When she dumps her surplus into our markets she forces our farmers to sell for below actual cost. But when potatoes are sold at a profit by our farmers—viz, at $3 or $4 a barrel—I pay about the same price per peck in the retail market as I pay to-day when the farmer is getting only $1 per barrel. The profits are made by the middlemen and the retailers. The increased duty will simply diminish the producer's loss by about 40 cents per barrel when he is forced to sell his crop at a loss in an oversupplied market.

Mr. NELSON of Maine. And it will cut down the acreage in Canada.

Mr. BEEDY. Yes; if this increased duty becomes operative it will have a very great tendency to prevent increased potato acreage in Canada, and will thus tend to diminish the Canadian surplus which seeks an invasion of our market.

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. LAGUARDIA. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 87, noes 3.

Mr. LAGUARDIA. I object to the vote.

The CHAIRMAN. The Chair will count for a quorum.

Mr. BEEDY. There were many Members here who were not voting.

The CHAIRMAN (after counting). One hundred and seven gentlemen are present.

So the amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Oregon offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 121, line 14, strike out "pecans, not shelled, 3 cents per pound; shelled, 6 cents per pound."

Mr. GARNER. Mr. Chairman, if the gentleman will not debate this item—I think we understand it—I imagine it can be adopted without any debate.

Mr. HASTINGS. What is the effect of the amendment?

Mr. HAWLEY. It transfers them to the basket clause.

Mr. HASTINGS. That is 10 cents in the basket clause?

Mr. HAWLEY. Yes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SNELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, had come to no resolution thereon.

ADJOURNMENT

Mr. HAWLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until Monday, May 27, 1929, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ZIHLMAN: Joint Commission on Airports. A report pursuant to Public Resolution 106, Seventieth Congress, recommending acquisition of land for airports in the District of Columbia; without amendment (Rept. No. 12). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. UNDERHILL: Committee on Accounts. H. Res. 41. A resolution to pay out of the contingent fund of the House to Thea Johanna Nelson, mother of Robert M. Nelson, deceased, late clerk to the Hon. JOHN M. NELSON, an amount equal to six months' salary (Rept. No. 11). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ROGERS: A bill (H. R. 3382) to amend the act entitled "World War veterans' act, 1924," as amended, approved June 7, 1924; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3383) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3384) to amend an act entitled "World War veterans' act, 1924," as amended, approved June 7, 1924; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3385) to amend an act entitled "World War veterans' act, 1924," as amended, approved June 7, 1924; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3386) to provide double total disability to blind veterans with an increase in compensation, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3387) authorizing appropriations for purchase of land at military posts; to the Committee on Military Affairs.

Also, a bill (H. R. 3388) to provide for the purchase of a site and the erection of a new post-office building at Hudson, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3389) to provide for the purchase of a site and the erection of a new post-office building at Ayer, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3390) to provide for the purchase of a site and the erection of a new post-office building at Methuen, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3391) to establish financial responsibility of persons owning and operating motor vehicles in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McREYNOLDS: A bill (H. R. 3392) granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. BACON: A bill (H. R. 3393) to require contractors and subcontractors engaged on public works of the United States to give certain preferences in the employment of labor; to the Committee on Labor.

By Mr. FISH: A bill (H. R. 3394) to amend section 19 of the immigration act of 1917 by providing for the deportation of an alien convicted in violation of the Harrison narcotic law, and amendments thereto; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3395) authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States; to the Committee on the Judiciary.

By Mr. HASTINGS: A bill (H. R. 3396) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Roads.

By Mr. HUGHES: A bill (H. R. 3397) to amend section 200 of the World War veterans' act of 1924, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3398) to amend section 202, paragraph 7, of the World War veterans' act of 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. LETTS: A bill (H. R. 3399) granting preference within the quota to certain aliens trained and skilled in a particular art, craft, technique, business, or science; to the Committee on Immigration and Naturalization.

By Mr. McSWAIN: A bill (H. R. 3400) to provide for the retirement of disabled nurses of the Army and Navy; to the Committee on Military Affairs.

By Mrs. ROGERS: Joint resolution (H. J. Res. 79) to provide for the printing of the names of and other information relating to members of the military and naval forces who died during the World War; to the Committee on Printing.

By Mr. HAWLEY: Joint resolution (H. J. Res. 80) authorizing the postponement of the date of maturity of the principal of the indebtedness of the French Republic to the United States in respect of the purchase of surplus war supplies; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. ESTEP: Memorial of the State Legislature of the State of Pennsylvania, memoralizing the Congress of the United States to cause to be issued postage stamps, of the denomination of 2 cents each, commemorative of the Sullivan campaign of 1779 in New York and Pennsylvania; to the Committee on the Post Office and Post Roads.

Also, memorial of the State Legislature of the State of Pennsylvania, memorializing the Congress of the United States, and especially the United States Senator and Congressmen from Pennsylvania, to use their best offices in an effort to amend the tariff law in a manner that will bring adequate protection to the coal, textile, and art glass industries of Pennsylvania from this very destructive foreign competition; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 3401) for the relief of Willard S. Simpkins; to the Committee on Military Affairs.

By Mr. BRIGHAM: A bill (H. R. 3402) granting a pension to Josephine Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3403) granting an increase of pension to Vina Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3404) for the relief of Nelson King; to the Committee on Military Affairs.

By Mr. CABLE: A bill (H. R. 3405) granting a pension to Zola Bergman Wolf; to the Committee on Pensions.

Also, a bill (H. R. 3406) granting a pension to Lucy Grace Wolf; to the Committee on Pensions.

By Mr. CANFIELD: A bill (H. R. 3407) granting a pension to Rhoda A. Paine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3408) granting a pension to the two minor children of Anatol Czarnecki; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 3409) for the relief of John Dzikowicz; to the Committee on Claims.

Also, a bill (H. R. 3410) for the relief of Dent, Allcroft & Co., A. J. Baker Co. (Inc.), Horwitz & Arbib (Inc.), and Richard Evans & Sons Co.; to the Committee on Claims.

Also, a bill (H. R. 3411), granting a pension to Mary E. Marx; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3412), granting a pension to Ottilie Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3413) granting an increase of pension to Mary C. Wilday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3414) granting an increase of pension to Cynthia Stiles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3415) granting an increase of pension to Catherine Van DeBogart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3416) granting an increase of pension to Eliza Dickerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3417) granting an increase of pension to Ellen M. Coonradt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3418) granting an increase of pension to Isabella M. Playford; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 3419) granting a pension to Eudora McDonough; to the Committee on Invalid Pensions.

By Mr. HALL of Indiana: A bill (H. R. 3420) granting a pension to Rebecca Sperry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3421) granting an increase of pension to Sarah Jane Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3422) for the relief of Gustav J. Braun; to the Committee on Claims.

By Mr. HUGHES: A bill (H. R. 3423) granting a pension to Elizabeth Laughery; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 3424) granting a pension to William P. Taylor; to the Committee on Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 3425) granting an increase of pension to Sarah A. Ressler; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 3426) for the relief of Halvor H. Groven; to the Committee on the Post Office and Post Roads.

By Mr. McFADDEN: A bill (H. R. 3427) granting an increase of pension to Alice R. Decker; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 3428) for the relief of Rebecca E. Olmsted; to the Committee on Military Affairs.

Also, a bill (H. R. 3429) for the relief of Ahmed Hussein; to the Committee on Claims.

Also, a bill (H. R. 3430) for the relief of Anthony Marcum; to the Committee on Claims.

Also, a bill (H. R. 3431) for the relief of Charles H. Young; to the Committee on Claims.

Also, a bill (H. R. 3432) granting a pension to Mary E. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 3433) authorizing payment of compensation to Annie Hiscock; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3434) authorizing the President to order John W. Daily before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; to the Committee on Military Affairs.

Also, a bill (H. R. 3435) renewing and extending patent No. 977139; to the Committee on Patents.

By Mr. SHORT of Missouri: A bill (H. R. 3436) for the relief of Myrtle Anderson; to the Committee on Claims.

By Mr. SIMMONS: A bill (H. R. 3437) granting an increase of pension to Cynthia Spicknall; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 3438) granting an increase of pension to Anna O'Neil; to the Committee on Pensions.

Also, a bill (H. R. 3439) granting an increase of pension to Rebecca A. Paugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3440) granting a pension to Bessie Puckett; to the Committee on Pensions.

By Mr. WARREN: A bill (H. R. 3441) for the relief of Meta S. Wilkinson; to the Committee on Claims.

By Mr. WHITLEY: A bill (H. R. 3442) granting a pension to Jerusha G. Gilbert; to the Committee on Pensions.

Also, a bill (H. R. 3443) granting an increase of pension to Eleanor H. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3444) for the relief of the Security Trust Co. of Rochester, Rochester, N. Y.; to the Committee on Claims.

Also, a bill (H. R. 3445) for the relief of Thomas Conlon; to the Committee on Military Affairs.

Also, a bill (H. R. 3446) for the relief of Pasquale Mirabelli; to the Committee on Appropriations.

By Mr. WYANT: A bill (H. R. 3447) granting an increase of pension to Ellen Harbaugh; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

513. By Mr. BOYLAN: Communication from Ellen Cahill, James P. Smith, and others, protesting against proposed tariff on sugar; to the Committee on Ways and Means.

514. Also, communication from Francis H. Leggett & Co., protesting against the increased duty on fresh and dried figs; to the Committee on Ways and Means.

515. Also, communications from Alfred A. Kohn, Julius Rosenthal, Charles Newman, Frank Pillittiere, Richard Keyes, and others, favoring placing hides and skins on the free list; to the Committee on Ways and Means.

516. By Mr. ESTEP: Memorial of the Pennsylvania Beekeepers' Association, protesting against any attempt to impair the United States pure food laws; to the Committee on Agriculture.

517. By Mr. LINDSAY: Petition of William Cabble Excelsior Wire Manufacturing Co., Brooklyn, N. Y., praying for support of adequate tariff to cover woven-wire cloth, Fourdrinier wire, cylinder wires, etc.; to the Committee on Ways and Means.

518. Also, petition of Consolidated Lithographing Corporation, Brooklyn, N. Y., recommending for approval every recommendation of the Tariff Commission of schedule on lithographs submitted by this industry; to the Committee on Ways and Means.

519. Also, petition of American Rattan & Reed Manufacturing Co., Brooklyn, N. Y., petitioning for relief of the rattan industries, and indicating that this industry is suffering from keen competition from European and Asiatic countries; to the Committee on Ways and Means.

520. By Mr. McCLOSKEY: Petition from the members of the E. O. C. Ord Post, No. 3, Grand Army of the Republic, San Antonio, Tex., favoring the enactment of legislation for the

relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

521. By Mr. McCORMACK of Massachusetts: Petition of Abraham Davidson, 382 Norfolk Street, Dorchester, Mass., protesting against tariff on hides; to the Committee on Ways and Means.

522. Also, petition of Benjamin Klein, 772 Dudley Street, Dorchester, Mass., protesting against tariff on hides; to the Committee on Ways and Means.

523. By Mr. VINCENT of Michigan: Petition of citizens of Saginaw County, Mich., protesting against a revision of the present calendar; to the Committee on Foreign Affairs.

SENATE

MONDAY, *May 27, 1929*

(Legislative day of Thursday, May 16, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	King	Simmons
Barkley	Gillett	La Follette	Smith
Bingham	Glass	McKellar	Smoot
Black	Glenn	McMaster	Steck
Blaine	Goff	McNary	Steiwer
Blease	Goldsborough	Metcalf	Stephens
Borah	Gould	Moses	Swanson
Bratton	Greene	Norbeck	Thomas, Idaho
Brookhart	Hale	Norris	Thomas, Okla.
Broussard	Harris	Nye	Trammell
Burton	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Tyson
Caraway	Hatfield	Patterson	Vandenberg
Connally	Hawes	Phipps	Wagner
Copeland	Hayden	Pine	Walcott
Couzens	Hebert	Pittman	Walsh, Mass.
Cutting	Heflin	Ransdell	Walsh, Mont.
Dale	Howell	Reed	Warren
Deneen	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Sackett	Watson
Edge	Kean	Schall	Wheeler
Fletcher	Kendrick	Sheppard	
Frazier	Keyes	Shortridge	

Mr. HASTINGS. I desire to announce that my colleague the junior Senator from Delaware [Mr. TOWNSEND] is unavoidably detained.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

THE JOURNAL

Mr. JONES. Mr. President, I ask unanimous consent that the Journal for the calendar days beginning Thursday, May 16, to and including the calendar day of Saturday, May 25, may be approved. This action is necessary in order that the Journal clerk may deal with the Journal for that period.

The VICE PRESIDENT. Without objection, it is so ordered.

THREAT ON LIFE OF SENATOR HEFLIN

Mr. HEFLIN. Mr. President, I send to the clerk's desk a copy of a part of a letter addressed to me, which I wish to have read. I hold the original in my hand, mailed in Detroit Saturday morning at 11 o'clock and arriving in Washington at 8.30 yesterday morning. There is one name or piece of information in it which I have kept out for reasons I think good. I ask for the reading of the letter.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

Hon. Senator HEFLIN:

At the risk of my life I am warning you of a plot carefully planned to kill you. This reached its final stage last night. Two men and a woman are now on their way to Washington to execute the plans, which are to assassinate you on the road, moving up to your car, shooting at you with dum-dum bullets, and speeding away. The license plates at the right moment will be reversed by a mechanical device. On a road from the city the woman will meet the two men and exchange cars with them. They will seek to kill you in a Packard and escape in a Ford. The firearms will be dropped in a sewer. Frankly, I am not your admirer, but I refuse to be your murderer. I was until this morning a member of a group that planned your destruction, a committee of six, who voted last night unanimously upon the plan which I am warning you of. It was not my proposal, thank Heavens. No; it was not mine, and I pray to God that you get this warning in time to save your life and my peace of mind. I had nothing to do with it. I merely cast my vote with the others in a frenzy of mad fanaticism. I have not slept; I can't forgive myself even for becoming a member of that committee. I have never before harbored even a suggestion of blood in my mind, so help me God. God knows it was not my influence that resulted in last night's action. The man who did it is the one who will shoot the dum-dum bullets at you from the death Packard. His climaxing expression last night was, "If they assassinated a man like Lincoln, shall we stop at a ——— like HEFLIN?" Then, hot-headed, we all voted and swore death for the betrayer of the cause. He called it a holy cause, but I did not realize that it really meant murder until I went to bed. I did not sleep a wink; my conscience tormented me; and I'd rather be a squealer than an assassin. But the others won't get me; they won't. I've outsmarted them, the dirty blood-thirsty devils. In a sealed envelope, addressed to the Detroit police, I have given every name concerned in the plot and full details. This envelope is held in trust by my close friend, an employee of ——— and will immediately surrender it to the police should any retaliatory measures be taken against me, who, with a clear conscience, sign myself,

NOT A MURDERER.

Mr. HEFLIN. Mr. President, I have the information as to the party to whom the letter addressed to the Detroit police was turned over. I withhold that information for the present. I wanted to have that much of this strange document read to the Senate in order that the Senate and the country may know what is going on regarding me and the fight I am making here against the un-American and dangerous activities of certain Roman Catholics. I have received a number of threats from time to time. I have turned over some of them to Government detectives for investigation, but I have never had a single report on one of them.

I decided to bring this matter to the attention of the Senate. I do not know what is back of this thing, but I am thoroughly convinced that no public man who has incurred the displeasure of Roman Catholics has ever been killed until Roman Catholic priests and other Catholic leaders have met in secret and pronounced the death sentence upon him. Mr. President, I shall continue to do my duty as God gives me the light to see it. These threats will not frighten or intimidate me. I am calling attention to Catholic doings that threaten free government in America. I do not know what may happen to me, but I want the Senate and the country to know that I believe, as God is my judge, that if anything does happen to me it has been arranged and decreed in advance by the Roman Catholic authorities in the United States.

If I am murdered, it will be because I, an American Senator, have dared to expose the dangerous activities of Roman Catholics, and my death would be the direct result of a Roman Catholic conspiracy to murder me.

SUGAR AND OTHER PRODUCTION COSTS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in further response to Senate Resolution 60 (by Mr. WALSH of Massachusetts, agreed to May 16, 1929), a copy of the report of the commission to the President upon its investigation, for the purposes of section 315 of the tariff act of 1922, of the costs of production of cotton hosiery, which, with the accompanying report, was referred to the Committee on Finance.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of the House of Representatives of the State of Michigan, memorializing Congress to amend the Federal income tax law so as to provide for the downward revision of taxation on earned incomes and to equalize as far as possible the burden of taxation, which was referred to the Committee on Finance. (See resolution printed in full when presented May 23, 1929, by Mr. VANDENBERG, p. 1792, CONGRESSIONAL RECORD.)

The VICE PRESIDENT also laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to increase the duty on farm products and products that enter into the manufacture of substitutes for farm products, such as oils and fats and copra, which was referred to the Committee on Finance. (See joint resolution printed in full when presented May 21, 1929, by Mr. BLAINE, p. 1596, CONGRESSIONAL RECORD.)

Mr. BINGHAM presented a resolution adopted by Allan M. Osborn Camp, No. 1, Department of Connecticut, United Spanish War Veterans, New Haven, Conn., favoring the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented letters in the nature of petitions from G. A. Hadsell Camp, No. 21, of Bristol, and A. G. Hammond Camp, No. 5, of New Britain, both of the United Spanish War Veterans in the State of Connecticut, praying for the passage